

PLANNING COMMISSION

MEETING OF

NOVEMBER 15, 2001

City of Las Vegas

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

5:15 PM

COMMISSIONERS BRIEFING:

PRESENT:

Craig Galati - Chairman
Michael Buckley
Steven Evans
Byron Goynes
Laura McSwain
Stephen Quinn

EXCUSED:

Richard Truesdell - Vice Chairman

STAFF PRESENT:

Chris Knight - Planning & Development Dept.
John Koswan - Planning & Development Dept.
Chris Glore - Planning & Development Dept.
Joel McCulloch – Planning & Development Dept.
Kyle Walton - Planning & Development Dept.
Scott Albright - Planning & Development Dept.
Laura Martin - Planning & Development Dept.
Daphnee Legarza - Public Works
Rick Schroder - Public Works
Bryan Scott - City Attorney's Office
Deeny Araujo – City Clerk's Office
Linda Owens - City Clerk's Office

Joel McCulloch, Planning and Development Department, called the Briefing to order at 5:31 P.M.

Item No. A-1, TM-0044-01:

Mr. McCulloch stated that on November 15, 2001 the applicant requested this item be held in abeyance to the December 6, 2001 Planning Commission meeting in order to determine the need for this application. Staff would like to have it held until the December 20, 2001 meeting.

Item No. B-1, GPA-0042-01:

Mr. McCulloch announced that on November 15, 2001 the applicant requested this item be withdrawn without prejudice from the agenda.

Item Nos. B-2, GPA-0043-01, B-3, Z-0077-01, and B-4, U-0134-01:

Mr. McCulloch said staff will be recommending denial of these applications based on incompatibility with existing and future land uses in the area. There is single family to the south and west.

Item No. B-6, SV-0018-01:

Mr. McCulloch noted that on November 14, 2001 the applicant requested this item be held in abeyance until the December 6, 2001 meeting in order to finalize the site layout. That would be acceptable to staff.

Item No. B-7, Z-0070-01, and B-8, Z-0070-01(1):

Mr. McCulloch said that staff is recommending denial on the rezoning request to R-PD6 based on incompatibility with the surrounding development. Staff has no recommendation on the site plan.

Item No. B-9, Z-0074-01 and B-10, Z-0074-01(1):

Mr. McCulloch announced that on November 6, 2001 the applicant requested these items be held in abeyance until the December 6, 2001 meeting in order to continue working on the hydrology issues. Staff would like these items held until the December 20, 2001 meeting instead.

Item No. B-11, Z-0078-01:

Daphnee Legarza, Public Works, said there is an issue with the streets that has to be resolved on this application.

Item No. B-13, U-0131-01:

Mr. McCulloch noted that staff is recommending denial on this application based on the inappropriate nature and location of this billboard.

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COMMISSIONERS BRIEFING:

Item No. B-16, SD-0055-01:

Daphnee Legarza, Public Works, noted that the Site Development Plan Review shows a joint access with the property to the north.

Item No. B-17, DB-0009-01:

Chairman Galati announced that he has received a request to pull this item forward on the agenda.

Item No. B-18, DB-0012-01:

Scott Albright, Planning and Development, stated that on the Staff Report the City Council date is indicated as January 2, 2002. Staff would like to bring this item to the City Council on December 19, 2001 to keep within the moratorium time limits.

Item Nos. B-21, Z-0051-01(1), Z-0013-00(1) and ZC-567-95(1):

Mr. McCulloch continued by saying that staff would like to have this request held in abeyance until the December 20, 2001 meeting in order for the applicant to apply for a related Variance for setbacks and to re-notice the item.

Item No. B-22, Z-0080-01:

Daphnee Legarza, Public Works, said staff would like to have the alley improved to Colorado Street.

Chris Glore, Planning and Development, added that staff is requesting C-2 zoning because that would be consistent with the surrounding area in the downtown. The applicant objects to C-2 zoning. Staff has suggested to the applicant that they get in touch with the Neighborhood Services Department. Used car sales will not be allowed in C-2 zoning. This is across the street from John S. Park.

Item No. B-23, V-0075-01:

Mr. McCulloch said that staff is recommending denial because there is no apparent physical hardship on the property.

Item No. B-25, Z-0025-01(1):

Mr. Glore stated that there is an issue with this application concerning a right turn lane.

Item No. B-26, Z-0016-98(10):

Mr. McCulloch said staff will be requesting this item be stricken because during the review process it was determined that the application was not necessary. The applicant has requested this item be held in abeyance until the December 20, 2001 meeting.

Mr. McCulloch adjourned the Briefing at 5:48 P.M.

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ACTION

6:00 PM

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

CALL TO ORDER:

6:02 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Craig Galati	Present
Chairman	
Richard Truesdell	Excused
Vice Chairman	
Michael Buckley	Present
Steven Evans	Present
Byron Goynes	Present (Left 7:43 P.M.)
Laura McSwain	Present
Stephen Quinn	Present

ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center,
500 South Grand Central Parkway
Senior Citizens Center,
450 East Bonanza Road
Clark County Courthouse,
200 East Carson Avenue
Court Clerk's Office Bulletin Board,
City Hall Plaza
City Hall Plaza, Special Outside Posting
Bulletin Board

MINUTES:

Approval of the minutes of the October 18, 2001 Planning Commission meeting.

CHAIRMAN GALATI called the meeting to order at 6:02 P.M.

STAFF PRESENT:

Chris Knight, Deputy Director,
Planning and Development Department
John Koswan, Manager,
Planning and Development Department
Chris Glore, Supervisor,
Planning and Development Department
Joel McCulloch, Senior Planner,
Planning and Development Department
Kyle Walton, Senior Planner,
Planning and Development Department
Scott Albright, Senior Planner,
Planning and Development Department
Laura Martin, Planner II,
Planning and Development Department
Jody Donahue, Planner I,
Planning and Development Department
Daphnee Legarza, Project Engineer,
Public Works
Rick Schroder, Project Engineer,
Public Works
Bryan Scott, Deputy City Attorney,
City Attorney's Office
Deeny Araujo, Deputy City Clerk,
City Clerk's Office
Linda Owens, Deputy City Clerk,
City Clerk's Office

Mr. McCulloch announced this meeting is in compliance with the Open Meeting Law.

Buckley -

APPROVED AS AMENDED (BUCKLEY AND McSWAIN ABSTAINED ON ITEM NO. B-39 INASMUCH AS KB HOME NEVADA IS A CLIENT OF THEIR FIRMS.)

**Unanimous
(Truesdell excused)**

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ACTION

A.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

A-1.

TM-0044-01 - CLIFF'S OFFICE PARK - NGA #2, LIMITED LIABILITY COMPANY ON BEHALF OF FOCUS COMMERCIAL GROUP INC.

Request for a Tentative Map for 1 lot on 4.5 acres adjacent to the northwest corner of Cliff Shadows Parkway and Buckskin Avenue, U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development¹. A minimum 7.5-foot wide equestrian trail path shall be provided to the rear of the retaining wall separating the steep terrain in the northwest corner of the site from the proposed development. The trail is to extend from the north property line to the west property line. The trail is to consist of decomposed granite or chat, have a cross slope of no more than a two percent grade directed toward the direction of drainage flow, have a longitudinal grade with no more than a three-to-one slope, have a longitudinal grade with no more than a two-to-one slope at the ends of the trail segment and for no more than 10 foot sections in between, be protected from potential washout, and be dedicated to the City for maintenance by the City.

CHAIRMAN GALATI stated the Consent items may be discussed if a Commission Member or Applicant so desires.

Goynes -

ABEYANCE TO THE DECEMBER 20, 2001 PLANNING COMMISSION MEETING (Resolve an issue regarding trails).

Unanimous

(Truesdell excused)

CHAIRMAN GALATI stated this is a Consent item.

JOEL McCULLOCH, Planning and Development, said that on November 15, 2001 the applicant requested this Tentative Map be held in abeyance until the December 6, 2001 Planning Commission meeting in order to determine the need for this application. However, staff would like to have this item held to the December 20, 2001 meeting.

ALLYSON HAYES, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. She concurred with having this item held to the December 20, 2001 meeting.

To be heard by the Planning Commission on December 20, 2001.

(6:04 - 6:05) 1 - 70

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**TM-0044-01 - CLIFF'S OFFICE PARK - NGA
#2, LIMITED LIABILITY COMPANY ON
BEHALF OF FOCUS COMMERCIAL GROUP
INC.**

ABEYANCE TO DECEMBER 20, 2001

2. Site development to comply with all applicable Conditions of Approval for Rezoning (Z-0024-99), Site Development Plan Review [Z-0024-99(35)], and all other subsequent site related actions, and City Ordinances and Policies.

3. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map, a new Tentative Map must be filed.

4. Street names must be provided in accord with the City's Street Naming Regulations.

5. All development is subject to the conditions of City departments and State Subdivision Statutes.

Public Works

6. The submitted Drainage Plan and Technical Drainage Study must be approved by the Department of Public Works prior to the submittal of a Final Map for this site.

7. Site development to comply with all applicable Conditions of Approval for Site Development Plan Review Z-0024-99(35), the approved Traffic Impact Analysis and all subsequent site-related actions.

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**TM-0044-01 - CLIFF'S OFFICE PARK - NGA
#2, LIMITED LIABILITY COMPANY ON
BEHALF OF FOCUS COMMERCIAL GROUP
INC.**

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

ABEYANCE TO DECEMBER 20, 2001

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ACTION

A-2.

TM-0045-01 - PINE COVE II - OWENS TRUST ON BEHALF OF HEARTHSTONE HOMEBUILDERS INC.

Request for a Tentative Map for 16 lots on 2.5 acres adjacent to the north side of Gowan Road, approximately 335 feet east of Durango Drive, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-CL (Single Family Compact-Lot) Zone, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. Street names must be provided in accord with the City's Street Naming Regulations.

3. All development is subject to the conditions of City Departments and State Subdivision Statutes.

4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

5. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed street layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

Goynes -

APPROVED ITEM NOS. A-2 THROUGH A-7, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item No. A-2 as her firm is under contract with Hearthstone Homebuilders, Inc.

(Truesdell excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

(6:12 - 6:13) 1 - 310

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ACTION

TM-0045-01 - PINE COVE II - OWENS TRUST ON BEHALF OF HEARTHSTONE HOMEBUILDERS INC.

APPROVED

6. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-80-97 and all subsequent site-related actions.

7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. All deviations from adopted City Standards must receive approval from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-3.

TM-0049-00(1) - VEGA FAMILY TRUST

Request for an Extension of Time on an approved Tentative Map (Vega Estates II) for 16 lots on 2.66 acres at 8365 West Gowan Road, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-CL (Single Family Compact-Lot) Zone, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. This Tentative Map will expire on November 2, 2002.

2. Conformance to all Conditions of Approval of the original Tentative Map (TM-0049-00) and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Goynes -

APPROVED ITEM NOS. A-2 THROUGH A-7, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item No. A-2 as her firm is under contract with Hearthstone Homebuilders, Inc.

(Truesdell excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

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ACTION

A-4.

TM-0049-00(2) - VEGA FAMILY TRUST

Request for a Tentative Map Name Change FROM: VEGA ESTATES II TO: PINE COVE SUBDIVISION at 8365 West Gowan Road, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-CL (Single Family Compact-Lot) Zone, Ward 4 (Brown).

STAFF RECOMMENDATION: Approval, subject to:

Planning and Development

1. Conformance to all Conditions of Approval of the original Tentative Map (TM-0049-00) and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Goynes -

APPROVED ITEM NOS. A-2 THROUGH A-7, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item No. A-2 as her firm is under contract with Hearthstone Homebuilders, Inc.

(Truesdell excused)

CHAIRMAN GALATI stated this is a Consent item.

This is final action.

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ACTION

A-5.

**A-0076-01(A) - LONE MOUNTAIN/BUFFALO
GENERAL PARTNERSHIP**

Petition to Annex 12.35 acres of land generally located adjacent to the southwest corner of Lone Mountain Road and Buffalo Drive (APN: 138-04-503-002 and 003), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Goynes -

APPROVED ITEM NOS. A-2 THROUGH A-7, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item No. A-2 as her firm is under contract with Hearthstone Homebuilders, Inc.

(Truesdell excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

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ACTION

A-6.

A-0077-01(A) - CITY OF LAS VEGAS

Petition to Annex 0.5 acre of land generally located on the south side of Regena Avenue, approximately 150 feet east of El Capitan Way (APN: 125-29-503-002), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Goynes -

APPROVED ITEM NOS. A-2 THROUGH A-7, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item No. A-2 as her firm is under contract with Hearthstone Homebuilders, Inc. (Truesdell excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

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ACTION

A-7.

A-0078-01(A) - CITY OF LAS VEGAS

Petition to Annex 1.2 acres of land generally located on the northeast corner of Regena Avenue and El Capitan Way (APN: 125-29-501-009), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Goynes -

APPROVED ITEM NOS. A-2 THROUGH A-7, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with McSwain abstaining on Item No. A-2 as her firm is under contract with Hearthstone Homebuilders, Inc. (Truesdell excused)

CHAIRMAN GALATI stated this is a Consent item.

To be forwarded to the City Council in Ordinance form.

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ACTION

B.

PUBLIC HEARING ITEMS:

B-1.

ABEYANCE - GPA-0042-01 - BONANZA REALTY. INC.

Request to Amend a portion of the Downtown Redevelopment Plan FROM: LOW DENSITY TO: TOURIST COMMERCIAL on 1.27 acres adjacent to the northwest corner of 1st Street and Bonanza Road (APN: 139-27-712-046 through 051; 139-27-810-002 through 004), Ward 5 (Weekly).

ON NOVEMBER 15, 2001 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

Quinn -

WITHDRAWN WITHOUT PREJUDICE.

Unanimous

(Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that on November 15, 2001 the applicant requested this item be withdrawn without prejudice.

There was no one present to represent this application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

This is final action.

(6:05 - 6:06) 1 - 108

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B-2.

**ABEYANCE - GPA-0043-01 - ANN
DURANGO, LIMITED LIABILITY COMPANY**

Request to Amend a Portion of the Centennial Hills Sector Plan FROM: ML (Medium-Low Density Residential) TO: GC (General Commercial) on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), Ward 6 (Mack).

NOTICES MAILED 44 [Mailed with Z-0077-01, U-0134-01 and Z-0077-01(1)]

APPROVALS 0

PROTESTS 1 speaker

STAFF RECOMMENDATION: DENIAL

Quinn -
DENIED

MOTION FOR APPROVAL DID NOT CARRY BECAUSE A SUPER MAJORITY WAS NOT OBTAINED WITH BUCKLEY AND McSWAIN VOTING NO.

**Unanimous
(Truesdell excused)**

KYLE WALTON, Planning and Development, explained that the proposed land use designation will allow for a full range of commercial-type uses that could be available in the General Commercial category. The level of intensity of these uses are consistent and compatible with the uses to the west, south, and north. He further stated that the current uses to the south of the proposed project are homes; to the north and west, vacant land but the western portion as designated by the General Plan can be used for single-family detached homes. Although the property to the east and north are designated for commercial uses, they are subject to strict standards set by the Town Center Design Standards and Concept.

MR. WALTON emphasized that the Centennial Sector Plan denotes commercial development in the north and west part of the plan in the Town Center area. This application is outside of the area and does not conform to the policy that was set by the City Council to keep all commercial type activities within Town Center itself. Staff is recommending denial of this application based on the fact that it takes exception to car dealerships having to conform to the Town Center Standards and being within the general commercial district.

JOEL McCULLOCH, Planning and Development, explained that the proposed used vehicle dealership is not consistent with the perimeter landscape requirements as dictated by Title 19A in the Urban Design Guidelines and Standards. The intensity and scale of the proposed development will not be compatible with the proposed low-density development to the west and south. An added concern relates to the secondary driveway proposed for Riley Street. If utilized on a regular basis, this will impact that particular residential collective street.

ATTORNEY JOHN MORAN, III, 630 South 4th Street, representing the applicant, introduced DAVID CHESNOFF, MARTY KEACH, JOSEPH BRAVO and DWIGHT PERSINGER.

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ABEYANCE - GPA-0043-01 - ANN
DURANGO, LIMITED LIABILITY COMPANY

In response to MR. WALTON'S comments regarding land use, he stressed quality rather than used versus new vehicle sales. He ventured to differentiate between his client's concept which would focus on quality pre-owned vehicles versus a used vehicle sold by a dealership whose primary purpose is to sell new vehicles. ATTORNEY MORAN explained the overall composition of access routes, rights-of-way and traffic patterns relative to the location of the proposed project. He stated that his client's property shares a common wall adjacent to an already approved, licensed and zoned dealership having a greater density than his client on a much larger piece of property. He noted on the Site Development Plan that the proposed property is located within the City of Las Vegas but is not in Town Center and therefore the applicant does not actually have to comply with Town Center standards. He stated, however, that his client is willing to conform to the Town Center standards.

Using the overhead, he indicated the setbacks, the buffering and the landscaping. He pointed out the two-story showroom, parts and service alcoves and the seven bays to be used for vehicle detailing. ATTORNEY MORAN commented that no other dealership matches or is comparable to his client's project from the architectural standpoint. He challenged staff's comments that this project is incompatible with the residential uses and stated that MR. MARSH is in favor of the dealership because it will generate additional business to the area.

CHAIRMAN GALATI declared the Public Hearing open.

CAROL LE DUC, 7575 Rome Boulevard, was critical of the zoning mumble-jumble comments made by ATTORNEY MORAN. She also stated that the applicant is asking for a waiver of the landscaping requirements. She could see no relevance between the sale of quality pre-owned vehicles and used versus new vehicle sales because the real issue deals with allowable land uses. She objected to any changes in the zoning.

COMMISSIONER EVANS questioned the request for a landscape waiver. ATTORNEY MORAN replied that it may have been an architectural oversight but no waiver is being sought.

COMMISSIONER BUCKLEY commented that despite the location of this project being outside of Town Center, he firmly believed that the Town Center Standards should be upheld and could not support this application.

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ABEYANCE - GPA-0043-01 - ANN
DURANGO, LIMITED LIABILITY COMPANY

COMMISSIONER McSWAIN questioned the criteria to which the adjacent dealership must follow if it sells new and used cars. MR. KNIGHT clarified that under Town Center guidelines, the sale of used vehicles is allowed as an ancillary use to new car sales.

COMMISSIONER GOYNES asked whether there are future plans to incorporate this parcel into Town Center. MR. KNIGHT answered that it is possible and offered clarification of several issues alluded to by ATTORNEY MORAN. He stated that staff recommended SC [Service Commercial] and not GC-TC [General Commercial-Town Center]. In relation to the GPA, MR. KNIGHT expressively stated that this request is not an issue of new car sales versus used car sales. He explained there are restrictions on exclusive used car sales developments that are not acceptable land uses within Town Center. He stressed that according to the Northwest Sector of the Centennial Hills Plan, it clearly states that commercial use of this nature should not be developed outside of Town Center. He noted a similar situation that occurred when Clark County Commissioners proposed a development outside of Town Center and the City opposed it. In 1998, the Town Center concept was adopted.

Citing examples such as no provisions for pedestrian elements, no buildings constructed up against the street, MR. KNIGHT stated that the site plan is not in accordance with the Town Center Standards. He suggested that the appropriate GPA request would be to include this property within Town Center and then decide on land use recommendations before moving forward. If the City amends the Town Center boundaries to incorporate this property, it would resolve several issues. Finally, MR. KNIGHT clarified that the JIM MARSH property received land use entitlements from Clark County despite City objections. Subsequently, the property was annexed to the City and JIM MARSH agreed to be included into Town Center to get the best quality development. He stressed that those decisions were made by Clark County, then inherited through annexation by the City.

Further discussion was held regarding acceptable land use off of the beltway alignment, the need for incorporating the property into Town Center and the use of a Text Amendment to allow used car sales specifically designating location. CHAIRMAN GALATI commended the applicant for a well-designed structure, which he agreed does meet the Town Center standards.

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ABEYANCE - GPA-0043-01 - ANN
DURANGO, LIMITED LIABILITY COMPANY

CHAIRMAN GALATI, in response to COMMISSIONER McSWAIN, stated that conditioning the application would force the applicant to comply with standards they had not committed to, if the City Council chose to approve the application. DEPUTY CITY ATTORNEY BRYAN SCOTT concurred.

Relating to ATTORNEY MORAN'S comment regarding time being of the essence, CHRIS GLORE, Planning Supervisor, Planning and Development, suggested the site plan be tabled and returned to alleviate any possibility of staff being placed in a pressured situation because of the project time frame.

MR. KNIGHT, in response to CHAIRMAN GALATI, explained the difference between GC-TC and GC and clarified for COMMISSIONER McSWAIN that a Text Amendment would be required in consideration of the GPA to incorporate it into Town Center; however, currently, a stand-alone used car sales operation is not a permitted use anywhere within Town Center.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-3, B-4 and B-5 for related discussion.

To be heard by the City Council on January 2, 2002.

(6:31 - 7:43) 1 - 960/2 - 1

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-3.

**ABEYANCE - Z-0077-01 - ANN DURANGO,
LIMITED LIABILITY COMPANY**

Request for Rezoning FROM: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] TO: C-2 (General Commercial) Zone on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), PROPOSED USE: USED VEHICLE SALES, Ward 6 (Mack).

NOTICES MAILED 44 [Mailed with GPA-0043-01, U-0134-01 and Z-0077-01(1)]

APPROVALS 0

PROTESTS 1 speaker

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. The City Council shall approve a General Plan Amendment to GC (General Commercial) on the subject site.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review shall be approved by the City Council on the subject site.

Public Works

4. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Riley Street adjacent to this site and a 25 foot radius on the southeast corner of Riley Street and Centennial Parkway prior to the issuance of any permits for this site.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND ADDITIONAL CONDITION THAT THE SITE PLAN CONFORM TO ALL TOWN CENTER DEVELOPMENT STANDARDS.

Motion carried with Buckley and McSwain voting NO. (Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that staff has determined that the request for rezoning to C-2 is not compatible with the proposed single-family dwellings to the south and west. If the C-2 is approved, a large range of commercial uses will be allowed on the site, which would not be compatible with the existing and future uses surrounding the property. MR. McCULLOCH commented that commercial development is limited to the Town Center area of the Centennial Hills Sector Plan and approving the request would allow commercial development outside of Town Center boundaries. Staff is recommending denial.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY JOHN MORAN, III, 630 South 4th Street,
CAROL LE DUC, 7575 Rome Boulevard

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-2, B-4 and B-5 for related discussion.

To be heard by the City Council on January 2, 2002.

(6:31 - 7:43) 1 - 960/2 - 1

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ITEM

ACTION

**ABEYANCE - Z-0077-01 - ANN DURANGO,
LIMITED LIABILITY COMPANY**

APPROVED

5. Submit a Vacation application to vacate 5 feet of right-of-way adjacent to this site for Centennial Parkway; such Vacation application shall be acted upon by the City Council prior to the issuance of any permits for this site.

6. Construct half-street improvements including appropriate overpaving (if legally able) on Riley Street and Centennial Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Centennial Parkway and Riley Street shall be constructed to comply with Town Center Frontage Road and Town Center Collector standards respectively.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes

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ITEM

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**ABEYANCE - Z-0077-01 - ANN DURANGO,
LIMITED LIABILITY COMPANY**

APPROVED

shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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ITEM

ACTION

**ABEYANCE - Z-0077-01 - ANN DURANGO,
LIMITED LIABILITY COMPANY**

APPROVED

9. Landscape and maintain all unimproved rights-of-way on Centennial Parkway and Riley Street adjacent to this site.

10. Submit an Encroachment Agreement for all landscaping and private improvements located in the Centennial Parkway and Riley Street public right-of-way adjacent to this site prior to occupancy of this site.

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ITEM

ACTION

B-4.

**ABEYANCE - U-0134-01 - ANN DURANGO,
LIMITED LIABILITY COMPANY**

Request for a Special Use Permit FOR USED MOTOR VEHICLE SALES adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], PROPOSED: C-2 (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 44 [Mailed with GPA-0043-01, Z-0077-01 and Z-0077-01(1)]

APPROVALS 0

PROTESTS 1

Planning and Development

1. If this Special Use Permit is not exercised within two years of this approval, this Special Use Permit shall be null and void unless an Extension of Time is granted.

2. All City Code Requirements and all City Departments design standards shall be met.

3. All repair and service work shall be performed within a completely enclosed building.

4. Openings to the service bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

5. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building. Vehicles displayed, stored or sold, or exchanged from the subject property shall have been manufactured within the last five (5) model years of the display, storage, sale or exchange date. Customer and employee vehicles, classic or collector vehicles

Quinn -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Buckley and McSwain voting NO.
(Truesdell excused)**

JOEL McCULLOCH, Planning and Development, stated that the Special Use Permit request would not be compatible with the proposed single-family uses to the west and south of the subject property. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY JOHN MORAN, III, 630 South 4th Street,
CAROL LE DUC, 7575 Rome Boulevard

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-2, B-3 and B-5 for related discussion.

To be heard by the City Council on January 2, 2002.

(6:31 - 7:43) 1 - 960/2 - 1

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ITEM

ACTION

**ABEYANCE - U-0134-01 - ANN DURANGO,
LIMITED LIABILITY COMPANY**

APPROVED

(defined as any motor vehicle, including trucks, that is at least twenty (20) model years old, or any motor vehicle of a defunct make), or any vehicle displayed inside the building shall be exempt from this limitation.

6. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property.

7. The used car dealership shall not operate on Sundays.

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ITEM

ACTION

B-5.

**ABEYANCE - Z-0077-01(1) - ANN
DURANGO, LIMITED LIABILITY COMPANY**

Request for a Site Development Plan Review for an 8,500 SQUARE FOOT USED VEHICLE SALES BUILDING AND A REDUCTION IN PERIMETER LANDSCAPING REQUIRED on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], PROPOSED: GC (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 44 [Mailed with GPA-0043-01, U-0134-01 and Z-0077-01(1)]

APPROVALS 0

PROTESTS 1

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. The City Council shall approve a Rezoning [Z-0074-01] to a C-1 (Limited Commercial) Zoning District.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. A minimum of 25 parking spaces shall be signed 'for customer parking only' with one space being van accessible.

Quinn -
DENIED

MOTION FOR APPROVAL DID NOT CARRY WITH BUCKLEY, EVANS, GALATI AND McSWAIN VOTING NO. (Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that the proposed used vehicle dealership is not consistent with the perimeter landscape requirements as dictated by Title 19A in the Urban Design Guidelines and Standards. Staff finds the intensity and scale of the proposed development will not be compatible with the proposed low-density developments to the west and south. A secondary driveway proposed for Riley Street, if used on a regular basis, will substantially impact that residential street.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

ATTORNEY JOHN MORAN, III, 630 South 4th Street,
CAROL LE DUC, 7575 Rome Boulevard

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-2, B-3 and B-4 for related discussion.

To be heard by the City Council on January 2, 2002.

(6:31 - 7:43) 1 - 960/2 - 1

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ITEM

ACTION

**ABEYANCE - Z-0077-01(1) - ANN
DURANGO, LIMITED LIABILITY COMPANY**

DENIED

5. The landscape plan shall be revised, prior to the issuance of any building permits, to depict: the planter along Centennial Parkway shown at 15 feet in width with 24-inch box tree planted 30 feet on center; the planter along Riley Street be increased to 15 feet in width with 24-inch box trees planted 20 feet on center; the planter along the south property line a minimum of eight feet in width with 24-inch box trees planted a minimum of 20 feet on center; and the landscape planter along the east property line have trees planted 30 feet on center.

6. The elevations on all four sides of the building shall provide consistent façade detailing.

7. A master signage plan shall be approved by the Planning Commission prior to the issuance of any Certificate of Occupancy. Freestanding signage shall be limited to a maximum height of twenty-four (24) feet along Centennial Road. All signs shall utilize materials and colors reflecting the building design.

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

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ACTION

**ABEYANCE - Z-0077-01(1) - ANN
DURANGO, LIMITED LIABILITY COMPANY**

DENIED

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

16. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

17. Site development to comply with all previous Conditions of Approval for Zoning Reclassification Z-77-01 (on this same agenda) and all other subsequent site-related actions.

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ITEM

ACTION

B-6.

ABEYANCE - SV-0018-01 - THE HOWARD HUGHES CORPORATION

Request for a Master Development Plan Review to establish Land Use designations within Summerlin Villages 23A and 23B, comprising 856 acres located adjacent to the northwest corner of Charleston Boulevard and Desert Foothills Drive (APN's: 137-22-000-003 and 137-34-000-001), Ward 2 (L.B. McDonald).

NOTICES MAILED 237 (Mailed with GPA-0035-01) [10/14/01 PC]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

McSwain -

ABEYANCE TO THE DECEMBER 6, 2001 PLANNING COMMISSION MEETING (Proposal to be revised).

Motion carried with Buckley and Galati abstaining inasmuch as The Howard Hughes Corporation is a client of their firms.

(Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that on November 14, 2001 the applicant requested this item be held in abeyance until the December 6, 2001 meeting in order to finalize the site layout.

COMMISSIONER QUINN declared the Public Hearing open.

There was no one present wishing to speak on this item.

COMMISSIONER QUINN declared the Public Hearing closed.

To be heard by the Planning Commission on December 6, 2001.

(6:06 - 6:07) 1 - 140

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-7.

ABEYANCE - Z-0070-01 - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] and R-E (Residence Estates) Zone TO: R-PD6 (Residential Planned Development - 6 Units Per Acre) on 35.93 acres adjacent to the southeast corner of the Fort Apache Road and Log Cabin Way alignments (APN: 125-05-301-001, 002, 003, 005, 006, 007, and 008), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack).

NOTICES MAILED 155 [Mailed with Z-0070-01(1)] (10/18/01 PC)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL, If approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Petition of Vacation for Dapple Grey Road and the east and west sides of Campbell Road where in conflict with this proposal. Such Vacation shall be recorded prior to the issuance of any building or grading permits or recordation of a Final Map overlying the area to be vacated.

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining inasmuch as the applicant is a client of his law firm.

(Goynes and Truesdell excused)

LAURA MARTIN, Planning and Development, stated that the requested zoning is not compatible with zoning designations. The northern and western boundaries of the site abut R-E zoned property and the southern portion abuts RPD-3 zoning.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, represented the applicant and presented an aerial map illustrating the location of the 35-acre parcel on the corner of Fort Apache. He explained that the applicant had requested an abeyance in order to meet with staff to resolve outstanding issues and based on that meeting, several significant changes to the site plan have evolved. One of the issues deals with density and to reach an amicable solution the Site Plan was adjusted by reconfiguration of the homes. The higher density homes were moved out on Fort Apache, keeping in mind the future development of Fort Apache to be a major street. This area is PCD.

ATTORNEY AMICK felt it was unfair to compare his client's development with the adjacent parcel developed by Astoria Homes and noted that if that development was taken as a whole, it would be at 3.5 units to the acre, but taken separately it would be 5 or 6 units to the acre. He also noted that Astoria's development is basically two separate product types with larger 9,000 square foot lots close to El Capitan; however, moving west towards Fort Apache, they have smaller 50 x 100 square foot lots. Because of the similarity, ATTORNEY AMICK asked that the same consideration be given to his applicant as was given to Astoria Homes.

In conclusion, he conveyed that his client has met all of the requirements for open space and has made no requests for any type of Variances. They have worked with staff and made the necessary modifications to ensure a viable Site Plan.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

ABEYANCE - Z-0070-01 - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

Looking at the site plan, COMMISSIONER QUINN asked why one particular patch of green was not contiguous with the rest of the green space. ATTORNEY AMICK explained that it was because of the street alignment. CHAIRMAN GALATI complimented the applicant on the revised site plan.

CHRIS GLORE, Supervisor, Planning and Development, explained that the current proposal is 6.41 units to the acre with 216 lots proposed. The maximum for an RPD-5 would be 182 units. He clarified for COMMISSIONER McSWAIN that based on the maximum allowable zoning density, if this proposed project were to go away, it could allow 6.49 units per acre, which would be incompatible with the allowable density of the adjacent properties. If the rezoning is approved, there would be no major issues of concern.

ATTORNEY AMICK stated that because of some sensitive time issues, it would be advantageous to his client to have this forwarded to City Council for its December 19, 2001 meeting.

NOTE: See Item No. B-8 for related discussion.

NOTE: COMMISSIONER GOYNES left the meeting at 7:43 P.M.

To be heard by the City Council on December 19, 2001.

(7:43 - 8:00) 2 - 340

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

ABEYANCE - Z-0070-01 - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

APPROVED

4. Dedicate 40 feet of right-of-way adjacent to this site for Log Cabin Way, a 54-foot radius on the southeast corner of Fort Apache Road and Log Cabin Way and a 20-foot radius on the northeast corner of Fort Apache Road and O'Hare Avenue. Alternatively, on Fort Apache Road the applicant may dedicate 30 feet of right-of-way and grant 10 foot "Public Use Roadway Corridor Easement" adjacent to such right-of-way for a total public half-street corridor width of 40 feet. Such public use easement shall be granted and available for any public need in conjunction with but not limited to traffic, drainage and storm sewers, streetlighting, fire hydrants, walkways, and sanitary sewer purposes. All required corner radii and chord easements shall be reserved behind and adjacent to such roadway corridor easement as if the easement area were dedicated right-of-way.

5. Construct half-street improvements including appropriate overpaving where legally able on Fort Apache Road, Log Cabin Way, and O'Hare Avenue adjacent to this site concurrent with development of this site. Also, if not already constructed at the time of development, construct a minimum of two lanes of paved, legal access to this site prior to final inspection of any units within this development.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be

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ITEM

ACTION

ABEYANCE - Z-0070-01 - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

APPROVED

contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1, for dedicated right-turn lanes and dual left turn lanes, shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

7. Coordinate with the Collection Systems Planning Section of the Department of Public Works for the Extension and Oversizing of public sanitary sewer to a location acceptable to the City Engineer. Extend the oversized sewer in Fort Apache Road to the northern boundary of this site.

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ITEM

ACTION

ABEYANCE - Z-0070-01 - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

APPROVED

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-8.

ABEYANCE - Z-0070-01(1) - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review FOR A 208-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 35.93 acres adjacent to the southeast corner of the Fort Apache Road and Log Cabin Way alignments (APN: 125-05-301-001, 002, 003, 005, 006, 007, and 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation) and R-E (Residence Estates) Zone, PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre, Ward 6 (Mack).

NOTICES MAILED 155 [Mailed with Z-0070-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0070-01) to an R-PD6 (Residential Planned Development - 6 Units Per Acre) Zoning District.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. The site plan shall be revised to provide larger lot sizes on the perimeter of the project abutting Log Cabin Way, Fort Apache Road, and O'Hare Avenue to compliment the adjacent zoning classifications and densities.

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Buckley abstaining inasmuch as the applicant is a client of his law firm.
(Goynes and Truesdell excused)

LAURA MARTIN, Planning and Development, stated that access to the site will be off Log Cabin Way and Fort Apache Road. The proposed lots will be accessed from private streets. The development will consist of 216 lots with lot sizes ranging from 3,500 to 5,200 square feet. The landscape plan shows 158,511 square feet of open space, including an open space park located adjacent to the site.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-7 for related discussion.

To be heard by the City Council on December 19, 2001.

(7:43 - 8:00) 2 - 340

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

ABEYANCE - Z-0070-01(1) - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

APPROVED

4. Revise the site plan to provide a four-foot wide sidewalk on at least one side of the street.

5. Submit a revised landscape plan to indicate the recreational facilities. One Hundred percent of open space/common space shall be installed at the time 75% of the houses are built.

6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

7. The setbacks for this development shall be as follows: minimum of 18 feet to the front of the garage/house, as measured from the back of curb or sidewalk, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.

8. Air conditioning units shall not be mounted on rooftops.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

10. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the street frontages. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

12. All City Code requirements and design standards of all City departments must be satisfied.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

ABEYANCE - Z-0070-01(1) - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

APPROVED

Public Works

13. Coordinate with the Development Coordination Section of the Department of Public Works to resolve issues relating to parcel access within and adjacent to this overall project prior to the submittal of a Tentative Map for this site.

14. A Master Streetlight plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

16. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

17. The final layout of this site shall be determined at the time of approval of the Tentative Map. Issues relating to parcel access and final right-of-way requirements shall be addressed at that time.

18. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-70-01, on this same agenda, and all other subsequent site-related actions.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-9.

ABEYANCE - Z-0074-01 - RICHARD & BARBARA STIMAC AND KAY RODRIGUEZ

Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.53 acres at 7075 West Craig Road (APN: 138-03-701-003), PROPOSED USE: RETAIL/OFFICE COMPLEX, Ward 6 (Mack).

ON NOVEMBER 6, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE DECEMBER 6, 2001 PLANNING COMMISSION MEETING, HOWEVER, STAFF REQUESTED IT BE HELD TO THE DECEMBER 20, 2001 MEETING TO KEEP THIS ITEM WITH THE SAME STAFF MEMBERS.

McSwain -

ABEYANCE ITEM NOS. B-9 AND B-10 TO THE DECEMBER 20, 2001 PLANNING COMMISSION MEETING (Allow time to work on hydrological issues associated with site).

**Unanimous
(Truesdell excused)**

JOEL McCULLOCH, Planning and Development, stated that on November 6, 2001 the applicant requested Item Nos. B-9 and B-10 be held in abeyance to the December 6, 2001 meeting in order to continue working on hydrology issues. Staff would prefer these items be held to the December 20, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-10 for related discussion.

To be heard by the Planning Commission on December 20, 2001.

(6:07 - 6:09) 1 - 180

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-10.

ABEYANCE - Z-0074-01(1) - RICHARD & BARBARA STIMAC AND KAY RODRIGUEZ

Request for a Site Development Plan Review FOR A PROPOSED OFFICE/RETAIL COMPLEX (Craig Market Place II) on 3.53 acres at 7075 West Craig Road (APN: 138-03-701-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], PROPOSED: C-1 (Limited Commercial) Zone, Ward 6 (Mack).

ON NOVEMBER 6, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE DECEMBER 6, 2001 PLANNING COMMISSION MEETING, HOWEVER, STAFF REQUESTED IT BE HELD TO THE DECEMBER 20, 2001 MEETING TO KEEP THIS ITEM WITH THE SAME STAFF MEMBERS.

McSwain -

ABEYANCE ITEM NOS. B-9 AND B-10 TO THE DECEMBER 20, 2001 PLANNING COMMISSION MEETING (Allow time to work on hydrological issues associated with site).

**Unanimous
(Truesdell excused)**

JOEL McCULLOCH, Planning and Development, stated that on November 6, 2001 the applicant requested Item Nos. B-9 and B-10 be held in abeyance to the December 6, 2001 meeting in order to continue working on hydrology issues. Staff would prefer these items be held to the December 20, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-9 for related discussion.

To be heard by the Planning Commission on December 20, 2001.

(6:07 - 6:09) 1 - 180

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-11.

ABEYANCE - Z-0078-01 - BUREAU OF LAND MANAGEMENT ON BEHALF OF CLARK COUNTY SCHOOL DISTRICT

Request for Rezoning FROM: R-E (Residence Estates) Zone TO: C-V (Civic) Zone on approximately 30 acres located at the northeast corner of Brent Lane and Tee Pee Lane (APN: 125-07-501-002), PROPOSED USE: ELEMENTARY SCHOOL, Ward 6 (Mack).

NOTICES MAILED 45 [Mailed with Z-0078-01(1)] (10/18/01 PC)

APPROVALS 1 Speaker

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review [Z-0078-01(1)] shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate or obtain dedication or easement rights for 40 feet of right-of-way for Fort Apache Road adjacent to this overall site, 80 feet for Iron Mountain Road, 60 feet for Teepee Lane, 60 feet for Brent Lane prior to the issuance of any building permits for this site. In addition, dedicate or obtain dedication or easement rights for additional rights-of-way in accordance with Standard Drawings #201.1, 234.1 and 234.2.; appropriate right-of-way to intersect Brent Lane and Teepee Lane in a standard "knuckle" corner (unless the Traffic Engineering Division approves

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 3 AMENDED AS STATED BY PUBLIC WORKS.

Motion carried with Galati abstaining inasmuch as the Clark County School District is a client of his architectural firm and Quinn abstaining inasmuch as his firm is involved in litigation with the Clark County School District.

(Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that the elementary school site proposed is appropriate and will be compatible in the C-V Zone.

MATT LeCROIX, Clark County School District, 4212 Eucalyptus Annex, appeared with John Loadman, the architect and Roy Clark of G.C. Wallace Engineering, 1555 South Rainbow Boulevard. MR. LeCROIX explained that the anticipated completion date for Bilbray Elementary School is the 2003 school year. Plans are to build the southern portion of the school first. As requested by the City, the School District relocated the site from the south to accommodate the interchange with the freeway.

MR. LeCROIX stated that Bilbray Elementary will relieve the Rhoads Ranch and Heckathorn student population. When it opens, there will be 400 additional students just in single-family residences alone, and will also include students living in multi-family units.

COMMISSIONER BUCKLEY declared the Public Hearing open.

CAROL LeDUC, Northwest Network of Neighborhoods, 7575 Rome Boulevard, commended the Clark County School District and voiced her approval.

COMMISSIONER BUCKLEY declared the Public Hearing closed.

DAPHNEE LEGARZA, Public Works, explained that staff had worked with the School District to work out modifications to Condition No. 3 and she detailed the following amendments. "Dedicate or obtain dedication or easement rights for 40 feet of right-of-way for Fort Apache Road adjacent to this overall site, 40 feet for Iron Mountain Road, 30 feet for Teepee Lane, 30 feet for Brent Lane prior to the issuance of any building

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**ABEYANCE - Z-0078-01 - BUREAU OF LAND
MANAGEMENT ON BEHALF OF CLARK
COUNTY SCHOOL DISTRICT**

an alternative intersection geometry) and all other intersection corner radii. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

4. Construct half-street improvements including appropriate overpaving (if legally able) on Iron Mountain Road, Fort Apache Road, Brent Road and Tee Pee Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer alignments to service this site. Extend public sewer in Brent Road to Tee Pee Lane to a depth and location acceptable to the City Engineer concurrent with development of this site.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine

permits for this site. In addition, dedicate or obtain dedication or easement rights for additional rights-of-way in accordance with Standard Drawings #201.1, 234.1 and 234.2; and all other intersection corner radii. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

NOTE: See Item No. B-12 for related discussion.

To be heard by the City Council on January 2, 2002.

(8:00 - 8:14) 2 – 900

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ITEM

ACTION

**ABEYANCE - Z-0078-01 - BUREAU OF LAND
MANAGEMENT ON BEHALF OF CLARK
COUNTY SCHOOL DISTRICT**

APPROVED

additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-12.

**ABEYANCE - Z-0078-01(1) - BUREAU OF
LAND MANAGEMENT ON BEHALF OF
CLARK COUNTY SCHOOL DISTRICT**

Request for a Site Development Plan Review for one (1) Elementary School on approximately 30 acres located at the northeast corner of Brent Lane and Tee Pee Lane (APN: 125-07-501-002), R-E (Residence Estates) Zone, PROPOSED: C-V (Civic) Zone, Ward 6 (Mack).

NOTICES MAILED 45 [Mailed with Z-0078-01] (10/18/01 PC)

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0078-01) to a C-V (Civic) Zoning District.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

4. Install a wrought iron fence along all property lines. If a block wall is constructed at a later time, it shall be a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Galati abstaining inasmuch as the Clark County School District is a client of his architectural firm and Quinn abstaining inasmuch as his firm is involved in litigation with the Clark County School District.

(Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that the site plan review for the elementary school is for the south half of the property only. It demonstrates a cohesive design and will complement the residential character of the area. He mentioned that access to the site would be by a non-gated entrance with a bus drop-off on Teepee Lane. The site plan details accommodations for two baseball fields, basketball courts and a play area located to the east of the elementary school. Staff recommended wrought iron fencing along the perimeter of the site.

MATT LeCROIX, Clark County School District, 4212 Eucalyptus Annex, stated that the School District does not construct wrought iron fencing along any of its standard prototype projects. When queried whether wrought iron had never been used, MR. LeCROIX explained that in the past it was done at the developer's expense and agreement to maintain the fencing. He stated that it would not be cost effective for the School District and requested that condition be deleted. COMMISSIONER EVANS rebutted that the School District should adhere to the condition, because it is required of other applicants as well. He suggested the School District look to community partners as a means to resolve the cost factor. In a final comment, COMMISSIONER EVANS stated that public institutions need to comply with conditions as mandated to ensure livable and attractive communities.

Relative to Condition No. 9, MR. LE CROIX explained that CCSD would prefer to stay with their standard lighting because it reduces the risk of vandalism of those lights and reduces the number of lights needed, thus saving the District money.

COMMISSIONER BUCKLEY declared the Public Hearing open.

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ITEM

ACTION

**ABEYANCE - Z-0078-01(1) - BUREAU OF
LAND MANAGEMENT ON BEHALF OF
CLARK COUNTY SCHOOL DISTRICT**

5. Revise the landscape plan to indicate shrubs and groundcover in accordance with the City of Las Vegas Urban Design Standards and Guidelines Manual.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

7. A revised landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

12. All City Code requirements and design standards of all City departments must be satisfied.

CAROL LeDUC, Northwest Network of Neighborhoods, 7575 Rome Boulevard, appeared in approval.

COMMISSIONER BUCKLEY declared the Public Hearing closed.

NOTE: See Item No. B-11 for related discussion.

To be heard by the City Council on January 2, 2002.

(8:00 - 8:14) 2 – 900

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ITEM

ACTION

**ABEYANCE - Z-0078-01(1) - BUREAU OF
LAND MANAGEMENT ON BEHALF OF
CLARK COUNTY SCHOOL DISTRICT**

APPROVED

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

14. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Site development to comply with all previous Conditions of Approval for Zoning Reclassification Z-78-01 (on this same agenda).

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ITEM

ACTION

B-13.

ABEYANCE - U-0131-01 - HADLEY ENTERPRISES RESTAURANT FUND ON BEHALF OF SHOW MEDIA, LIMITED LIABILITY COMPANY

Request for a Special Use Permit FOR ONE (1) 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the north side of Sahara Avenue approximately 270 feet east of Rainbow Boulevard (APN: 163-02-415-014), C-1 (Service Commercial) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 56 (10/18/01 PC)

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

McSwain -

DENIED (Inappropriate in area)

Motion carried with Quinn voting NO and Buckley abstaining inasmuch as the applicant is a client of his law firm.

(Goynes and Truesdell excused)

LAURA MARTIN, Planning and Development, stated that staff determined the sign to be incompatible with the existing retail office uses along this portion of Sahara Avenue.

ATTORNEY CHRIS JORGENSEN appeared on behalf of the applicant. He stated that the area is highly commercialized and not in close proximity to any residences. The applicant would like to use the sign for off-premise advertising and in the development of this area.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER McSWAIN stated her opposition to all off-premise signs.

COMMISSIONER EVANS asked about the certainty, if approved, of this sign ever going away. DEPUTY CITY ATTORNEY BRYAN SCOTT verified that most off-premise billboards are time sensitive; in other words, if a new building comes into the area and the billboard is determined incompatible, it could be removed. Staff commented that although that provision is stated, they have yet to see it occur.

This is final action.

(8:14 - 8:19) 2 – 1440

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COUNCIL CHAMBERS -400 STEWART AVENUE

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ACTION

ABEYANCE - U-0131-01 - HADLEY ENTERPRISES RESTAURANT FUND ON BEHALF OF SHOW MEDIA, LIMITED LIABILITY COMPANY

DENIED

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

5. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

6. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

7. The final location of the proposed billboard shall meet the approval of the Traffic Engineering Division.

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ITEM

ACTION

B-14.

**ABEYANCE - Z-0031-73(16) - RANDALL PIKE
ON BEHALF OF CHRISTOPHER TILMAN**

Request for a Site Development Plan Review and Reduction of perimeter landscaping requirements FOR A PROPOSED 950 SQUARE FOOT OFFICE at 1211 S. Maryland Parkway (APN: 162-02-115-058), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 3 (Reese).

NOTICES MAILED 210 (10/18/01 PC)

APPROVALS 1 (Speaker)

PROTESTS 1

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. A revised landscaping plan shall be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first. The landscaping plan shall depict extended five-foot landscape planter in the northwest corner of the property to 24 feet in length and additional trees and shrubs provided in accordance with the City of Las Vegas Urban Design Standards and Guidelines Manual.

4. Provide landscaping in all yard area not occupied by the parking area as depicted on the site plan.

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated the applicant plans to convert a single-family dwelling into an attorney's office. Likewise, the applicant is requesting a reduction of the perimeter landscaping. Staff agrees that the waiver would be necessary to enable the applicant to meet parking requirements.

RANDALL PIKE, 1900 East Bonanza Road, CHRISTOPHER TILLMAN, 3450 East Russell Road, Suite #108, and PAT MATTHEWS, 2235 East Flamingo Road, Suite #100F, were present to answer any questions and concurred with the conditions as recommended.

CHAIRMAN GALATI declared the Public Hearing open.

JACK LENO, 1209 East Gorman Avenue, mentioned that the applicant had informed him of his intention to build a new office and plans to landscape the property. He thanked MR. TILLMAN for investing in the neighborhood, but asked the Planning Commission to ensure that the applicant complies with all the conditions because this project will not only benefit MR. TILLMAN but the neighborhood as well.

CHAIRMAN GALATI declared the Public Hearing closed.

This is final action.

(8:19 - 8:29) 2 - 1630

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ITEM

ACTION

**ABEYANCE - Z-0031-73(16) - RANDALL PIKE
ON BEHALF OF CHRISTOPHER TILMAN**

APPROVED

5. A revised landscaping plan shall be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first. The landscaping plan shall depict all areas on the site to be re-planted, to the satisfaction of Planning and Development Department staff and indicate shrubs and groundcover in accordance with the City of Las Vegas Urban Design Standards and Guidelines Manual.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. A Master Sign Plan shall be submitted for approval of Planning Commission prior to the issuance of a Certificate of Occupancy for any building on the site.

Public Works

9. Dedicate an additional 2 feet of right-of-way for a total radius of 15 feet on the northeast corner of Maryland Parkway and Norman Street prior to occupancy of this site. This condition shall not be enforced if the applicant provides proof of existing signage or other permanent private improvements within the area to be dedicated.

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ITEM

ACTION

**ABEYANCE - Z-0031-73(16) - RANDALL PIKE
ON BEHALF OF CHRISTOPHER TILMAN**

APPROVED

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

12. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis.

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

**ABEYANCE - Z-0031-73(16) - RANDALL PIKE
ON BEHALF OF CHRISTOPHER TILMAN**

APPROVED

No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-15.

**V-0078-01 - MBP INDUSTRIES LC ON
BEHALF OF ULTIMATE COLLISION**

Request for a Variance TO ALLOW 67 PARKING SPACES WHERE 88 PARKING SPACES ARE THE MINIMUM REQUIRED in conjunction with a proposed auto paint and body shop adjacent to the west side of Rancho Drive, approximately 265 feet north of Cheyenne Avenue (APN: 139-12-801-009), C-2 (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 88

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Submit a revised site plan for review by Planning staff depicting compliance with the requirement for number of handicap parking spaces and the proper width of access aisles.
2. If this Variance is not exercised within two (2) years from date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.
3. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance must be satisfied.

McSwain -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Evans not voting.

(Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that in regard to the Variance, this property is unique. Because of the drainage easement requirement, the property is unable to be used to its fullest extent. Regarding the parking requirements, staff recommended this condition be re-looked at because there may be an overestimation.

RICHARD MORENO, Moreno & Associates, 300 South 4th Street, 15th Floor, thanked staff and on behalf of his applicant accepted all conditions as recommended.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-16 for related discussion.

To be heard by the City Council on December 19, 2001

(8:29 - 8:33) 2 - 2020

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-16.

ABEYANCE - SD-0055-01 - MBP INDUSTRIES, LC ON BEHALF OF ULTIMATE COLLISION

Request for a Site Development Plan Review FOR A PROPOSED 15,880 SQUARE FOOT AUTO PAINT & BODY REPAIR SHOP on 1.3 acres adjacent to the west side of Rancho Drive, approximately 265 feet north of Cheyenne Avenue, (APN: 138-12-801-009), C-2 (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 154 [Mailed with U-0124- 01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

2. The site plan shall be revised to depict the required 80 parking spaces or the City Council shall approve a Variance to reduce the parking requirement.

3. No utility vault exceeding 27 cubic feet in size may encroach into approved landscape areas along public street frontages. Additionally, no waivers from required landscaping or approved signage standards shall be allowed due to the placement of any utility vaults.

McSwain -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 12 AMENDED TO INCLUDE: THIS CONDITION SHALL NOT BE ENFORCED IF A SHARED DRIVEWAY IS NOT CONSTRUCTED.

Motion carried with Evans not voting. (Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that the Site Plan is a normal layout. Staff recommended approval.

DAPHNEE LEGARZA, Public Works, added the following sentence to Condition No. 12 as follows: "This condition shall not be enforced if a shared driveway is not constructed." COMMISSIONER McSWAIN asked MR. MORENO if he agreed and he concurred.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-15 for related discussion.

To be heard by the City Council on December 19, 2001

(8:29 - 8:33) 2 - 2020

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ABEYANCE - SD-0055-01 - MBP INDUSTRIES, LC ON BEHALF OF ULTIMATE COLLISION

APPROVED

4. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

5. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

8. No used or discarded automotive parts or equipment shall be located outside of an enclosed building.

9. Conformance to all Conditions of Approval for U-0124-01.

Public Works

10. Construct all incomplete half-street improvements on Rancho Drive and Gwen Place adjacent to this site concurrent with development of this site.

11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

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ABEYANCE - SD-0055-01 - MBP INDUSTRIES, LC ON BEHALF OF ULTIMATE COLLISION

APPROVED

12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. Also, the proposed driveway accessing Rancho Drive shall receive approval from the Nevada Department of Transportation.

13. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such

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ABEYANCE - SD-0055-01 - MBP INDUSTRIES, LC ON BEHALF OF ULTIMATE COLLISION

APPROVED

devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer. We note that this site is within a FEMA "A" Flood Zone and the required drainageways may necessitate revisions to the submitted site plan.

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ABEYANCE - SD-0055-01 - MBP INDUSTRIES, LC ON BEHALF OF ULTIMATE COLLISION

APPROVED

15. Landscape and maintain all unimproved right-of-way on Rancho Drive adjacent to this site.16. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-17.

**DB-0009-01 - JOHN S. PARK
NEIGHBORHOOD PLANNING TEAM**

Discussion and possible Action on the John S. Park Neighborhood Plan.

STAFF RECOMMENDATION: APPROVAL, with the condition that the following comments or modifications be made or addressed.

1. As no official designation has been made to date, the term "historic" should not be used in the title of the plan at this time. It is recommended that the title be amended.

NOTICES MAILED: N/A

APPROVALS: 6 (Speakers)

PROTESTS: 0

**Buckley -
APPROVED WITH CONDITION NO. 1 DELETED.
Unanimous
(Truesdell excused)**

CHRIS KNIGHT, Planning and Development, stated that at the October 18, 2001 Planning Commission meeting the Commissioners were briefed on the John S. Park Neighborhood Plan. It is a statement of what the neighbors want to see happen in their neighborhood. At that meeting there were a couple of concerns where the John S. Park Neighborhood Association was asked to address and be prepared to talk about at this meeting. In the backup is a letter from the John S. Park Neighborhood Planning Team that explains their position on several issues. In addition, there are representatives from the neighborhood present at this meeting.

The only issue staff had was the name and that this neighborhood has not received an official designation as an historic designation through the Historic Preservation Commission. They have changed their report so that it does not indicate or give the impression that it is an adopted Historic Neighborhood. If they get historic status the name in the plan could be amended.

CHRIS GIUNCHIGLIANI, 706 Bracken Avenue, appeared as a member of the John S. Park Neighborhood Planning Team. She was a member of the first adopted City of Las Vegas DCDC Plan. They have been an active association for five years. This is a way for the neighbors to present solutions to their neighborhood problems. At the last meeting there was an issue of commercial within the neighborhood.

The City's Planning Process requires commercial. Additionally, in some cases it is just a block wall away. In order for the businesses and residential to be in a partnership, the surrounding businesses need to be involved with the neighborhood. Many of the land issues concern buffering which need to be part of the process. The Chair of the Land Use Committee personally invited business proprietors to their neighborhood meetings, following up with certified letters if they were not available. This effort did result in several responses from the nearby businesses.

MS. GIUNCHIGLIANI stated that neighborhood response and participation have been excellent. Using an already established neighborhood plan as a guide, the John S. Park Neighborhood Plan also follows the master plan for the area.

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DB-0009-01 - JOHN S. PARK
NEIGHBORHOOD PLANNING TEAM

MARY HAUSCH, 1139 South 5th Place, expressed how proud she was to have served on this committee where the efforts were all combined to represent the interests of the neighborhood.

BEN CONTYNE, 1047 East Oakey, President of the West Circle Neighborhood Association, appeared in support of the John S. Park Neighborhood Plan and agreed with the concept that neighborhoods can be empowered.

JOHN DELAKANAKUS, 548 Barbara Way, President of the Beverly Green Neighborhood Association, announced that his neighborhood association plans to embark on a similar process using the John S. Park Neighborhood Plan as a guide. He asked that the Planning Commission support this plan as well to show citizens that the City of Las Vegas is truly concerned about the quality of life.

JACK LEVINE, President of the Southridge Neighborhood Association, offered his support of the John S. Park Neighborhood Association Plan and asked the Planning Commission to likewise support this effort. He mentioned that his association also intends to embark on a similar plan.

In her closing, MS. GIUNCHIGLIANI stated that they will move forward with the historic designation but wanted to clarify that if there is a need to amend the conditions relative to the historic concerns, they would be happy to comply. COMMISSIONER McSWAIN interjected that she initially had concerns regarding the reference to historic; however, upon driving through the community and determining that a lot of work still remains to be done, having the word historic might prove to be a positive factor. She did stress that she did not want anything imposed on the neighbors if they did not want it.

BOB BELLIS, John S. Park Neighborhood Association, 843 Park Paseo, confirmed that the word historic is noted only in the title. MS. GIUNCHIGLIANI reiterated that she would like for it to remain because as MR. BELLIS clarified, it was the neighbors themselves who voted to have it worded that way.

COMMISSIONER QUINN questioned why the backup information indicated that no notices were mailed and wanted to know how the residents are notified. MR. BELLIS explained that the neighbors and the City were sent certified letters to inform them of neighborhood meetings.

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ITEM

ACTION

DB-0009-01 - JOHN S. PARK
NEIGHBORHOOD PLANNING TEAM

COMMISSIONER BUCKLEY echoed COMMISSIONER McSWAIN'S comments and further stated that he had no problem with keeping historic in the title.

COMMISSIONER EVANS congratulated the neighborhood representatives and the residents who worked so diligently to establish the John S. Park Neighborhood Plan. He recognized the great deal of thought and effort that went into this project.

CHAIRMAN GALATI expressed how admirable it is for other neighborhood associations to actively support John S. Park and to consider embarking on their own plans. CHAIRMAN GALATI explained that it apprises the City of the needs that the neighborhood intends for itself.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: Subsequent to the meeting it was determined that this item would be heard by the City Council on December 19, 2001 during the morning session as a Resolution.

To be heard by the City Council on January 2, 2002.

(6:13 - 6:31) 1 - 360

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-18.

DB-0012-01 - CITY OF LAS VEGAS

Discussion and possible Action on the Rancho Charleston Land Use Study and Strategic Plan. Ward 1 (McDonald).

STAFF RECOMMENDATION: ENDORSEMENT OF STUDY/PLAN AS PROPOSED

McSwain -

ENDORSED STUDY/PLAN.

Motion carried with Buckley and Quinn abstaining inasmuch as they live in the area. (Goynes and Truesdell excused)

SCOTT ALBRIGHT, Planning and Development, stated that this request is for possible action on the Land Use Study and Strategic Plan. It sets up the strategy in terms of land use within the study area. As depicted on the overhead the study area includes US 95 to the North, Sahara Avenue to the South, Valley View Boulevard to the West, and I-15 to the East, excluding Las Vegas Medical District and Residential neighborhoods to the North. The Study/Plan was initiated by the Mayor and the City Council in response to a request for a formulated plan for land use in the study area. Within the same time frame, a moratorium was put into effect with an expiration date of December 20, 2001. The committee's goal was to complete the Plan and have it before the City Council prior to the expiration of the moratorium

MR. ALBRIGHT explained that the establishment of this Plan included the knowledge, expertise and skills of participants from the Planning and Development Department, Neighborhood Services Department and a Ten-member Steering Committee. Planning and Development drafted the policy, Neighborhood Services recommended the Steering Committee panel and assisted in public outreach efforts. The role of the Steering Committee was to develop the goals and guidance on policy recommendations. To accomplish their task, numerous community meetings were held and letters mailed to the residents who resided in the study area. MR. ALBRIGHT stated that this plan lays a strong foundation by identifying issues that impact land use in downtown Las Vegas and within the neighborhoods. It focuses on neighborhood preservation and enumerates seven strategic areas of concern. The document itself indicates reoccurring on-site nuisances such as lights, signs and noise.

MR. ALBRIGHT was very pleased with the outcome of this task and gave accolades to a number of participants.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

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ITEM

ACTION

DB-0012-01 - CITY OF LAS VEGAS

CHAIRMAN GALATI was pleased with the outcome of the Land Use Study and Strategic Plan saying that it pertained to many issues that have made it difficult for the Planning Commission to deal with. He also commented about vacant land and the possibility of using this land for park use or open space. There should be a companion report that would present viable solutions to some of the problem areas. He wanted to provide a source that would entice people to continue investing in the older neighborhoods by reassuring them that the City is open and willing to handle many diverse situations.

MR. ALBRIGHT responded to COMMISSIONERS EVANS' and McSWAIN'S queries by stating that any directions and/or comments would be presented to the City Council if the Land Use Study and Strategic Plan is endorsed by the Planning Commission and sent on to the City Council on December 19, 2001.

To be heard by the City Council on December 19, 2001.

(8:33 - 8:58) 2 – 2200

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-19.

GPA-0024-01 - WILDER FAMILY TRUST, ET AL

Request to Amend a portion of the Southwest Sector Plan FROM: R (Rural Density Residential) TO: M (Medium Density Residential) on approximately 2.21 acres south of Madre Mesa Drive, approximately 650 feet west of Decatur Boulevard (APN: 138-13-701-024, 025, 045, and 046), Ward 5 (Weekly).

NOTICES MAILED 152 [Mailed with Z-0051-01 and Z-0051-01(1)]

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

Buckley -

APPROVED.

Unanimous

(Goynes and Buckley excused - Amended at 12-20-2001 meeting to indicate Goynes and Truesdell excused)

KYLE WALTON, Planning and Development, stated that this project is similar to other surrounding developments and noted that staff recommended approval.

DAVID TURNER, Baughman & Turner, Inc., 1210 Hinson Street, represented the applicant. He acknowledged that the adjoining property owner requested an 8-foot block wall be built. Referring to a previous site plan of the same property and density approved several years ago, MR. TURNER explained that the Post Office was in need of a portion of the applicant's property, so the rezoning was granted. Now, the applicant is requesting additional square footage to revert the parcel back to its original size.

CHAIRMAN GALATI declared the Public Hearing open.

LORNA LAPOINTE, 5446 Sheila Avenue, appeared and said she was not opposed to this project; however, because of the impending construction, the volume of traffic will increase and she eagerly requested some alternate route be devised in order to divert the traffic congestion. She also mentioned that Madre Mesa Drive is closed off, so if the City planned to do a traffic analysis, the statistics would not be accurate.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-20 and B-21 for related discussion.

To be heard by the City Council on January 2, 2002.

(9:12 - 9:20) 2 - 3498/3 - 150

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-20.

Z-0051-01 - WILDER FAMILY TRUST, ET AL

Request for a Rezoning FROM: U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] TO: R-3 (Medium Density Residential) on approximately 2.21 acres south of Madre Mesa Drive, approximately 650 feet west of Decatur Boulevard (APN: 138-13-701-024, 025, 045, and 046), PROPOSED USE: MULTI-FAMILY RESIDENTIAL DEVELOPMENT, Ward 5 (Weekly).

NOTICES MAILED 152 [Mailed with GPA-0024-01 and Z-0051-01(1)]

APPROVALS 0

PROTESTS 0

Planning and Development

1. A Site Development Plan Review shall be approved by the Planning Commission and City Council at a public hearing prior to development.

2. A Resolution of Intent with a two-year time limit.

Public Works

3. Coordinate with the City Surveyor to determine whether a Reversionary Map to revert the underlying lot lines to acreage is necessary; if such Reversionary Map is required, it shall record prior to the issuance of any building permits for this site.

4. Dedicate 30 feet of right-of-way adjacent to this site for those portions of Madre Mesa not already dedicated prior to the issuance of any permits.

5. Construct half-street improvements on Madre Mesa Drive and Roberta Lane adjacent to this site concurrent with development of this site.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

(Goynes and Buckley excused - Amended at 12-20-2001 meeting to indicate Goynes and Truesdell excused)

JOEL McCULLOUGH, Planning and Development, explained that the rezoning request is appropriate and will be incorporated into a large multi-family development previously approved by the Planning Commission and the City Council.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

DAVID TURNER, 1210 Hinson Street
LORNA LAPOINTE, 5446 Sheila Avenue

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-19 and B-21 for related discussion.

To be heard by the City Council on January 2, 2002.

(9:12 - 9:20) 2 - 3498/3 - 150

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ITEM

ACTION

Z-0051-01 - WILDER FAMILY TRUST, ET AL

APPROVED

6. Extend public sewer in Roberta Lane to the west edge of this development to a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, recordation of a final map or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall address the proposed circulation of traffic through the parking structure and shall address potential gated security areas, if proposed. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a final map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved

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ITEM

ACTION

Z-0051-01 - WILDER FAMILY TRUST, ET AL

APPROVED

Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, recordation of a Final Map or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a final map, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

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COUNCIL CHAMBERS –400 STEWART AVENUE

ITEM

ACTION

B-21.

Z-0051-01(1), Z-0013-00(1) and ZC-567-95(1)
WILDER FAMILY TRUST, ET AL

Request for a Site Development Plan Review FOR A PROPOSED 118-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AND 59,180 SQUARE FOOT MINI-STORAGE FACILITY on approximately 7.53 acres south of Madre Mesa Drive, approximately 650 feet west of Decatur Boulevard (APN: 138-13-701-024, 025, 045, 046, 050, and 052), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-3 (Medium Density Residential); U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial); and U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-3 Medium Density Residential], Ward 5 (Weekly).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE UNTIL THE DECEMBER 20, 2001 PLANNING COMMISSION MEETING IN ORDER TO RE-NOTIFY THIS ITEM AND FOR THE APPLICANT TO SUBMIT A VARIANCE FOR SETBACKS.

Quinn -

ABEYANCE TO THE DECEMBER 20, 2001 PLANNING COMMISSION MEETING (Staff to re-notify and applicant to submit a Variance for setbacks).

Unanimous
(Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance until the December 20, 2001 meeting in order for the applicant to apply for a related Variance and to re-notice the item with a waiver request.

DAVID TURNER, Baughman and Turner, 1210 Hinson Street, appeared to represent the applicant and stated he had no objection to having this item held to the December 20, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-19 and B-20 for related discussion.

To be heard by the Planning Commission on December 20, 2001.

(6:09 - 6:10) 1 - 250

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COUNCIL CHAMBERS -400 STEWART AVENUE

ITEM

ACTION

B-22.

Z-0080-01 - DAVID LITVAK & VERONIKA HOLMES

Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-1 (Limited Commercial) Zone on 0.18 acre at 1306 South Third Street and 211 East Colorado Street (APN: 162-03-110-024 and 027), PROPOSED USE: ANTIQUE STORE, Ward 3 (Reese).

NOTICES MAILED 107

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The Rezoning of the subject parcels (APN: 162-03-110-024, 026 and 027) shall be amended to C-2 (General Commercial).

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any building permits, any site grading, and all new development activity on the site.

Public Works

4. Construct full-width alley improvements adjacent to this site, extending northward to tie into existing improvements along Colorado Street, concurrent with development of this site.

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

Buckley -

APPROVED, SUBJECT TO STAFF'S CONDITIONS, DELETING CONDITION NO. 1 AND WITH CONDITION NO. 4 AMENDED BY PUBLIC WORKS TO READ: SIGN AND RECORD A COVENANT RUNNING WITH LAND AGREEMENT FOR THE POSSIBLE FUTURE INSTALLATION OF ALLEY PAVEMENT ADJACENT TO THIS SITE PRIOR TO THE ISSUANCE OF ANY PERMITS.

Unanimous

(Goynes and Truesdell excused)

LAURA MARTIN, Planning and Development, explained that the applicant wishes to expand his business into a village concept. Staff feels that C-2 zoning would be more compatible with the downtown redevelopment plan, although the applicant is requesting C-1.

VERONIKA HOLMES and DAVID LITVAK, the applicants, concurred with all of staff's recommendations with the exception of Condition No. 4. MS. HOLMES explained that the homes in that vicinity were originally built as railroad houses. She stated that adjacent to her property is a 16-unit apartment complex, a restaurant equipment store and an 18,000 square foot business. As stipulated in Condition No. 4, the applicants are required at their expense to construct alley improvements. MS. HOLMES stated that all of the delivery trucks that use that alleyway, deliver to the businesses to the back of her property. She felt it would be more feasible if each of the tenants who are adjacent to the alley share in the improvement costs.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER McSWAIN conveyed that she passed through the neighborhood and although she found it small, it was well landscaped. She expressed that landscape issues are very important because it affects the character of an area. She also noted for the record that a portion of land owned by the City was overgrown with weeds and trash and definitely requires attention. Regarding the applicant's requirement to pave the alleyway, COMMISSIONER McSWAIN asked staff to research whether the improvements might be deferred, or a covenant running with the land for future installation might be viable for this area.

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ACTION

Z-0080-01 - DAVID LITVAK & VERONIKA HOLMES

6. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways shall be designed, located and constructed to meet the approval of the Traffic Engineer.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

COMMISSIONER EVANS recognized the makeup of four to five cottages as being a part of the evolving Arts District and inquired whether Neighborhood Services might not have some available funds to assist with the expenses for small business owners in the Arts District.

DAPHNEE LEGARZA responded to COMMISSIONER McSWAIN'S inquiry stating that it would not be improper to have a covenant running with the land for future installation of the alley improvements. MS. LEGARZA read the proposed amendment of Condition No. 4 as: *"Sign and record a Covenant Running with Land agreement for the possible future installation of alley pavement adjacent to this site prior to issuance of any permits."*

CHRIS GLORE, Supervisor, Planning and Development, clarified that Condition No. 1 should be deleted.

To be heard by the City Council on January 2, 2002.

(9:20 - 9:32) 3 - 150

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ACTION

Z-0080-01 - DAVID LITVAK & VERONIKA HOLMES

APPROVED

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

9. Landscape and maintain all unimproved right-of-way on Third Street and Colorado Street adjacent to this site.

10. Submit an Encroachment Agreement for all private improvements located in the Third Street and Colorado Street public right-of-way adjacent to this site prior to occupancy of this site.

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ITEM

ACTION

B-23.

V-0075-01 - MATRIX CONSTRUCTION CONSULTING

Request for a Variance TO ALLOW A 24 FOOT REAR YARD SETBACK WHERE A 35 FOOT REAR YARD SETBACK IS THE MINIMUM ALLOWED on 0.46 acre at 8200 Omni Court (APN: 125-33-302-013), R-E (Residence Estates) Zone, Ward 6 (Mack).

NOTICES MAILED 169

APPROVALS 0

PROTESTS 3 (2 Speakers)

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. City Code requirements and design standards of all City Departments that are not affected by approval of this Variance must be satisfied.

McSwain - APPROVED, SUBJECT TO STAFF'S CONDITIONS. Unanimous (Goynes and Truesdell excused)

LAURA MARTIN, Planning and Development, explained that the applicant plans to build a custom-designed home that will encroach on the required rear yard setback. Staff feels that the applicant has created a self-imposed hardship by overbuilding the site.

BRIAN LEAVITT, 7550 W. Alexander Road, represented the applicant. He described the lot as being wide and narrow with a cul-de-sac frontage. In a mutual agreement with the neighbors, the property owner modified the structure to single story but requires a Variance to accommodate the 3,800 square foot home.

CHAIRMAN GALATI declared the Public Hearing open.

MICHAEL LAVIN, 8201 Adler Circle, an adjacent neighbor, stated that although the property owner revised the plans and went to a single-story dwelling, they raised the level of the ground and so he is able to look into that backyard. He would like the property owner to raise the existing wall to eight feet.

WALTER JOST, 5101 Royer Ranch Road, lives half a block from the proposed site. He questioned why no notification was ever made when the cul-de-sac composition was changed from four home sites to five home sites. He also voiced his objection to the contractor's refusal to use water to control the dust during construction and the lack of signs indicating construction in the area.

CHAIRMAN GALATI declared the Public Hearing closed.

CHAIRMAN GALATI questioned whether this area was acquired by annexation as a five-lot application. MR. McCULLOUGH affirmed that two separate Parcel Maps were prepared. All the lots meet the half-acre lot designation.

COMMISSIONER McSWAIN, in looking at the site plan, could not see a large variation in the size of the house to suggest overbuilding. She suggested that the applicant meet with the neighbors to resolve any pending issues.

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V-0075-01 - MATRIX CONSTRUCTION CONSULTING

CHAIRMAN GALATI questioned whether the lot could not be flat off the street rather than the cul-de-sac. MR. LEAVITT conveyed that the effort was to mirror the neighbors' lot configurations.

In making her motion and referring back to MR. LAVIN'S comments regarding the block wall, COMMISSIONER McSWAIN reiterated the need for the applicant to meet with the neighbors.

To be heard by the City Council on January 2, 2002.

(9:32 - 9:43) 3 - 530

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ITEM

ACTION

B-24.

**U-0139-01 - GREENGALE PROPERTIES,
LIMITED LIABILITY COMPANY ON BEHALF
OF JEFF GALE**

Request for a Special Use Permit to allow PRIVATE STREETS for Dorrell Lane between Rio Vista Street and Tenaya Way and a portion of Haley Drive between Rio Vista Street and Tenaya Way (APN: 125-22-501-001,125-22-601-023, 024, 025 and 026), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation], Ward 6 (Mack).

NOTICES MAILED 197

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Vacation (VAC-0003-01).

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. All City Code requirements and design standards of all City departments must be satisfied.

4. Grant one 25-foot wide "trail corridor easement" along Haley Drive to the City.

5. A minimum 25-foot wide multi-use transportation trail shall be established along Rio Vista Drive west of the City-County corporate boundary. The trail shall consist of the following components:

McSwain -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH REVISED CONDITIONS AS FOLLOWS:

1. THAT THE EXISTING PORTION OF THE APPROXIMATE 42 FOOT WIDE ROAD SURFACE OF RIO VISTA STREET LOCATED WITHIN LAS VEGAS BE ESTABLISHED AS A MULTI-USE TRAIL;

2. THAT THE EXISTING PORTION OF THE APPROXIMATE 42 FOOT WIDE ROAD SURFACE OF RIO VISTA STREET LOCATED WITHIN LAS VEGAS BE DEEDED TO THE CITY FOR TRAIL PURPOSES;

3. NO ABOVE OR BELOW GROUND UTILITY INSTALLATION SHALL BE LOCATED WITHIN THE TRAIL THAT WILL IN ANY WAY ENCROACH UPON THE FULL USE AND ENJOYMENT OF THE TRAIL. EXISTING DRAINAGE STRUCTURES MAY PROTRUDE INTO THE TRAIL, PROVIDED A MINIMUM OF 20 FEET OF TRAIL WIDTH REMAINS;

4. THE TRAIL SHALL BE MAINTAINED IN SUCH A MANNER THAT THE TRAIL IS PERPETUALLY MAINTAINED IN GOOD CONDITION BY THE PROPERTY OWNER(S) OR SUCCESSORS IN INTEREST WHO OWNS THE PROPERTY LOCATED WEST OF THE TRAIL; SUCH RESTRICTION SHALL BE ESTABLISHED AS COVENANT RUNNING WITH THE LAND. "GOOD CONDITION" SHALL BE CONSTRUED AS A SURFACE BLADED TO MAINTAIN A FLAT SURFACE THAT CONTAINS NO PROTUBERANCES THAT ARE DANGEROUS TO TRAIL USERS IN THE NORMAL USE OF THE TRAIL AND A SURFACE THAT IS DUST FREE BY THE APPLICATION OF MAGNESIUM CHLORIDE OR OTHER SIMILAR SUBSTANCE;

5. THAT NO 25 FOOT WIDE "TRAIL CORRIDOR EASEMENT" ALONG HALEY DRIVE BE GRANTED TO THE CITY;

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**U-0139-01 - GREENGALE PROPERTIES,
LIMITED LIABILITY COMPANY ON BEHALF
OF JEFF GALE**

A minimum 10-foot wide PCC trail path shall be located 10 feet from the corporate boundary. An equestrian trail proposed to be located east of the corporate boundary shall not be located closer than 10 feet to the transportation trail path. The trail shall meet the specifications for a sidewalk.

The minimum 25 feet wide trail shall be owned and maintained by the property owner or in the case of multiple owners, a homeowners association. With the approval of the City, the minimum 10 foot wide trail path may be dedicated to the City as a "transportation trail path."

No above or below ground utility installation shall be located within the trail that will in any way encroach upon the full use and enjoyment of the trail path.

An easement for use of the trail by the public shall be provided.

The trail shall be maintained by the property owner or in the case of multiple owners, a homeowners association.

Appropriate barriers shall be provided to prevent unauthorized vehicles from using the trail.

Public Works

6. Dedicate 40 feet of right-of-way adjacent to this site for Tenaya Way, 50 feet for Elkhorn Road, and a 54-foot radius at the southeast corner of Elkhorn Road and Tenaya Way.

6. APPROPRIATE BOLLARDS OR OTHER SIMILAR BARRIERS SHALL BE PROVIDED ACROSS RIO VISTA STREET, ALONG THE SOUTH SIDE OF ELKHORN ROAD; ALONG THE NORTH SIDE OF HALEY AVENUE; AND AT SUCH OTHER LOCATIONS AS MAY BE DEEMED APPROPRIATE BY THE CITY TO PREVENT UNAUTHORIZED VEHICLES FROM USING THE TRAIL. "UNAUTHORIZED VEHICLES" SHALL BE CONSTRUCTED AS ANY MOTORIZED VEHICLES OTHER THAN THOSE USED BY THE CITY OR COUNTY; A PUBLIC UTILITY; BY ABUTTING PROPERTY OWNERS; OR THOSE AFFILIATED WITH ABUTTING PROPERTY OWNERS;

7. IF AND WHEN THE ABUTTING PROPERTY TO THE WEST IS REZONED TO A DIFFERENT CLASSIFICATION, THESE CONDITIONS MAY BE AMENDED AS THE CITY DEEMS APPROPRIATE.

**Unanimous
(Goynes and Truesdell excused)**

LAURA MARTIN, Planning and Development, stated this Special Use Permit is a requirement to fulfill a Condition of Approval of a Vacation application. This application prevents private street designations for a 10-foot wide section of Haley Drive and a 40-foot wide section of Dorrell Lane located between Tenaya Way and Rio Vista Street. Title 19A sets forth specific requirements for private streets regarding design construction standard requirements for property owners associations and access restrictions. The proposed private street designations will insure access to adjacent properties and recommended approval, subject to the conditions.

VICKY TROY, Orion Engineering, 3068 East Sunset Road, Suite #9, said she concurred with staff's conditions. However, where no 25-foot wide trail be granted along Haley Lane she requested that the applicant vacate the existing trails dedicated by the Parcel Map recorded on February 16, 2001. Also, for clarification she requested the abutting property to the west have the Assessor's Parcel No. 125-22-501-001 added and also add that these conditions are relative to the trail corridor to be amended as it seems appropriate. They have been working with the City and County on this and will continue to do so.

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**U-0139-01 - GREENGALE PROPERTIES,
LIMITED LIABILITY COMPANY ON BEHALF
OF JEFF GALE**

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

8. Site development to comply with all applicable Conditions of Approval for VAC-0003-01 and all other site-related actions.

MS. MARTIN noted that the applicant's representative was referring to revised Condition No. 5 that was submitted earlier.

JEFF GALE, 6722 North Rainbow Boulevard, was present.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on January 2, 2002.

(9:43 - 9:46) 3 - 880

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ITEM

ACTION

B-25.

**Z-0025-01(1) - CHARLESTON AUTO PARTS
PROFIT SHARING TRUST ON BEHALF OF
WILLIAM LYON HOMES**

Request for a Site Development Plan Review FOR A 70-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on approximately 40 acres adjacent to the northeast corner of Grand Teton Drive and Jones Boulevard (APN: 125-12-401-001), R-E (Residence Estates) Zone, PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack).

NOTICES MAILED 84 (Mailed with Z-0016-98(19))

APPROVALS 1 (Speaker)

PROTESTS 3 (Speakers)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. That a minimum 20-foot wide equestrian trail be established along the north side of Grand Teton Drive. The trail shall consist of those components of the Recreational Trails Element adopted by the Planning Commission, including the following:

A six-foot sidewalk shall abut the street curb and be located within the street right-of-way. A minimum 7.5-foot wide equestrian trail path shall be provided within the remaining 14 feet of the trail. The trail shall consist of decomposed granite or chat, have a cross slope of no more than a two percent grade directed toward the direction of drainage flow, have a longitudinal grade with no more than a three-to-one slope, have a longitudinal grade with no more than a two-to-one slope at the ends of the trail segment, be protected from potential washout, and include a fence to separate the fence from the sidewalk.

Evans -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH ADDITIONAL CONDITION THAT DEVELOPER TO MEET WITH THE NEIGHBORS PRIOR TO THE CITY COUNCIL MEETING AND AMENDED CONDITION NOS. 3 AND 15 AS STATED BY THE APPLICANT.

Motion carried with Buckley abstaining inasmuch as this application is located in Iron Mountain Ranch and a client of his law firm has a stake in that area. (Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated the site plan for 70 single-family lots presents an effective layout of lots and internal streets. A minor modification to add approximately 10 acres into the Iron Mountain Master Development Plan will need to be approved prior to approval of the site plan review. In addition, staff finds that Section 4.4.3 of the Iron Mountain Ranch Development Standards indicates that only parcels with lots less than 10,000 square feet are required to provide interior open space. The minimum lot size in this development is 20,000 square feet; thus, no open space is required. Staff recommended approval, subject to the conditions.

TERRY CONNELLY, William Lyon Homes, 500 Pilot Road, Suite G, stated that in regard to Condition No. 3 they have been working with the Planning Department staff and thought that condition should be amended so that the *trail corridor and landscape area shall be mapped as common lots*. MR. McCULLOCH agreed to have Condition No. 3 revised as requested by the applicant.

MR. CONNELLY added that Condition No. 15 currently reads to provide a public sewer stub to the northern boundary of this site to a location and depth acceptable to the City Engineer prior to the issuance of any permits. Again, they have been working with Public Works and it was agreed to strike "prior to the issuance of any permits" and insert "*concurrent with the development of this site*." In addition, this project is to be single story, stucco exteriors, and tile roofs, but there is no requirement for it.

CHAIRMAN GALATI declared the Public Hearing open.

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ITEM

ACTION

**Z-0025-01(1) - CHARLESTON AUTO PARTS
PROFIT SHARING TRUST ON BEHALF OF
WILLIAM LYON HOMES**

2. Approval of a Modification [(Z-0016-98(11)] to be added to the Iron Mountain Ranch Master Plan, and approval of a Rezoning (Z-0022-01) to R-PD2 (Residential Planned Development – 2 Units Per acre).

3. Submittal of a revised site plan that depicts the trail corridors as common lots that will be maintained by a homeowner's organization.

4. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

5. The setbacks for this development shall be a minimum of 25 feet to front-loaded garages, 20-feet to side-loaded garages, 20 feet side (aggregate), 15 feet on the corner side, and 35 feet in the rear.

6. The Iron Mountain Ranch theme wall shall be constructed in conjunction with development.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

8. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

9. Submit a Petition of Vacation for easterly 10 feet of Jones Boulevard adjacent to this site. An Order of Vacation shall record prior to the recordation of a Final Map for this site.

WILLIAM BURGOS, 6161 Jo Marcy Drive, objected to the site plan. The residents have been working on this project for about three years. Initially this was a Champion Homes project, but it has been taken over by K.B. Homes. This project looks like it belongs on this property, but the problems are the landscaping, density and the fact it will be a walled community. There are no walled communities in the area.

CHAD SIGNALAR, 6140 Grand Teton Drive, appeared in protest. The existing residents are trying to maintain a single-family community. He attended a neighborhood meeting and was of the understanding there would be another meeting, but there was never a future meeting held. He was concerned about the transition from this project to the one-acre landholders.

MR. McCULLOCH demonstrated on the monitor what K. B. Homes has had approved in the recent months. One part of the project will have an access driveway coming off Jones Boulevard.

TIM WOODRUFF, 5150 Elvis Presley Court, appeared in approval. He asked for clarification as to how many lots are involved in this project. MR. McCULLOCH responded that this is a 70-lot project.

MR. WOODRUFF was of the understanding that the area to be developed as trail corridors is in the lot size calculations. He thought the lots are supposed to be 20,200 square feet from back of curb. CHAIRMAN GALATI responded that the plan has been modified so that the lots along Grand Teton are 20,200-plus net and do not include the trail corridor.

MR. WOODRUFF asked for clarification of Condition No. 3. MR. McCULLOCH said the trails will be mapped as common lots and the homeowners organization for this development will maintain the trail corridor and trail paths.

JULIAN DONOHUE, 8420 Unicorn Street, appeared in protest. She wants the continuity of the area to continue and would like to have another neighborhood meeting.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER McSWAIN asked for clarification as to what has transpired on this project since she is a relatively new Commissioner.

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ITEM

ACTION

**Z-0025-01(1) - CHARLESTON AUTO PARTS
PROFIT SHARING TRUST ON BEHALF OF
WILLIAM LYON HOMES**

10. The Tentative Map and Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes.

11. A deviation from City Streetlighting Standards shall be allowed on Jones Boulevard to allow the streetlights to be the same style fixtures as used in Summerlin and to allow the wattage to be reduced to 100 Watts; however, the lighting shall meet City Standard spacing requirements as required by the Department of Public Works. All other perimeter streets shall meet City Standard lighting requirements.

12. Provide pedestrian walkway easements for all public sidewalks not located within the public street right-of-way.

13. Submit an Encroachment Agreement for all landscaping and private improvements located in the Jones Boulevard and Grand Teton Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

14. Landscape and maintain all unimproved right(s)-of-way on Grand Teton Boulevard and Jones Boulevard adjacent to this site.

15. Provide a public sewer stub to the northern boundary of this site to a location and depth acceptable to the City Engineer prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

CHAIRMAN GALATI explained that one developer was going to develop the entire piece of property. That developer had financial problems so the property reverted to previous ownerships. K. B. Homes then purchased a majority of the property and William Lyon Homes purchased a piece and there was another developer that purchased a piece. Originally William Lyon Homes came in with a more dense proposal and a different design, which is still before the City Council. In the meantime, K. B. Homes has submitted numerous applications that the Planning Commission approved which were parts of the plan and the idea is to keep as much integrity of the plan as possible knowing that there is more than one owner. There have been modifications to the development standards, which have been supported by the residents.

MR. McCULLOCH added that originally there were 93 lots on the 40-acre parcel, or 2.2 units to the acre, and now the density is 1.75-units to the acre. The 10-acre corner is going to be added to this proposal and the developer will comply with the development standards of the Iron Mountain Ranch Plan, including the trails, theme block wall, etc. The difference between what was originally approved and this application is that there is no inner street connectivity between this parcel and the parcels to the north and south. The trails will still be connected by the perimeter trail along Jones Boulevard and the equestrian trail along Grand Teton.

COMMISSIONER McSWAIN asked how the neighbors can be in approval of this project. There seems to be a disconnect between the neighbors and the developer.

MR. CONNELLY responded that the developer has talked with Beverly Blaskey, a neighborhood representative, in regard to the 20,000 square foot net back of curb lots, which has been resolved. There is another issue of the wall that is to be put up along Jones Boulevard.

COMMISSIONER QUINN thought there was to be another meeting with the developer and neighbors, but it never took place.

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ACTION

**Z-0025-01(1) - CHARLESTON AUTO PARTS
PROFIT SHARING TRUST ON BEHALF OF
WILLIAM LYON HOMES**

16. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed street layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

17. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

18. A Homeowner's Association shall be established to maintain all perimeter walls, multi-use trails private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

19. Comply with all applicable Conditions of Approval for Z-25-01, the approved Master Traffic Access Analysis, the approved Master Drainage Study and all other site-related actions.

20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

MR. CONNELLY said this project has been worked on for seven months and felt they were a good neighbor. Of the three plans that have been shown, the 20,000 square foot lots have been reconfigured to be able to work out some of the finer details. They cannot make this a non-walled community. The wall design was on the original plan. They have also met with persons in the City Council Office. The site plan was sent to everyone that was interested in this project. It will be 1.75 units per acre with the same trail system, landscaping and walls as is being done in the community. There was discussion about having lots turned onto Jones Boulevard, but that was not the approved plan. They can meet with the neighbors prior to the City Council meeting.

COMMISSIONER EVANS felt this meets the provisions of the General Plan.

CHAIRMAN GALATI explained that the first time this appeared before the Planning Commission it was denied because it did not conform to the Iron Mountain Ranch Plan. Through the course of the last six months this proposal is reaching that plan. This developer has agreed to what has been asked of him. He thought this item should be voted on and moved to the City Council with a meeting between now and when this will be heard by the City Council.

NOTE: See Item Nos. B-26 and C-2 for related discussion.

To be heard by the City Council on December 19, 2001.

(9:46 - 10:19) 3 - 1000

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ITEM

ACTION

B-26.

**Z-0016-98(19) - CHARLESTON AUTO PARTS
PROFIT SHARING TRUST ON BEHALF OF
WILLIAM LYON HOMES**

Request for a Review of Condition for several conditions of an approved Rezoning (Z-0016-98) on properties adjacent to the southwest corner of Iron Mountain Road and Decatur Boulevard (APN: 125-12-101-005, 125-12-301-001, 125-12-401-001 & 002, 125-12-502-001 & 125-12-601-001), Ward 6 (Mack).

STAFF RECOMMENDATION: STRIKE. Staff has determined that this review is not necessary because the Rezoning (Z-0016-98) that originally was approved on this site will be expunged, as will the Conditions of Approval, with the approval of re-zoning Z-0025-01, which will be considered at City Council on November 21, 2001.

**McSwain -
ABEYANCE TO THE DECEMBER 20, 2001 PLANNING
COMMISSION MEETING.**

**Unanimous
(Truesdell excused)**

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item stricken from the agenda because during the review process it was determined the application was not necessary. However, the applicant has requested this item be held in abeyance until the December 20, 2001 meeting.

TERRY CONNELLY, William Lyon Homes, 500 Pilot Road, Suite C, said they prefer to have this item held in abeyance rather than stricken. They are not sure what the rezoning conditions will be. At that time it could be stricken.

CHRIS GLORE, Planning and Development, responded that staff has an issue with holding this in abeyance. The rezoning will be considered by the City Council on December 19, 2001.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-25 and C-2 for related discussion.

**To be heard by the Planning Commission on December
20, 2001.**

(6:10 - 6:12) 1 - 250

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ITEM

ACTION

B-27.

VAC-0040-01 - HOWARD HUGHES CORPORATION

Petition to Vacate an excess portion of Corporate Crossing Road generally located north of Corporate Crossing Road, east of Center Crossing Road, Ward 2 (L B. McDonald).

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. All development shall be in conformance with code requirements and design standards of all City departments. (*Planning and Development*)

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (*Planning and Development*)

3. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. (*Public Works Department*)

McSwain -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley and Galati abstaining inasmuch as the Howard Hughes Corporation is a client of their firms.

(Goynes and Truesdell excused)

LAURA MARTIN, Planning and Development, stated the justification letter indicates that this request was initiated by the Public Works Department as a result of new roadway improvements. When this Vacation is recorded it will be incorporated into adjacent parcels. It will not eliminate public access to any abutting parcel. Staff recommended approval, subject to the conditions.

JEANINE WALLACE, G. C. Wallace Engineering, 1555 South Rainbow Boulevard, appeared and concurred with staff's conditions.

COMMISSIONER QUINN declared the Public Hearing open.

There was no one present wishing to speak on this item.

COMMISSIONER QUINN declared the Public Hearing closed.

To be heard by the City Council on January 2, 2002.

(10:19 - 10:20) 3 - 228

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ITEM

ACTION

VAC-0040-01 - HOWARD HUGHES CORPORATION

APPROVED

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works Department)*

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

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ITEM

ACTION

C.

NON PUBLIC HEARING ITEMS:

C-1.

Z-0132-93(9) - DISTINCTIVE HOMES, LIMITED LIABILITY COMPANY

Request for a Review of Condition #3 of an approved Site Development Plan Review [Z-0132-93(3)] TO ALLOW A FOURTEEN-FOOT FRONT YARD SETBACK (TO THE DWELLING) FOR LOTS 1227, 1228 AND 1230, WHERE A TWENTY-FOOT FRONT YARD SETBACK IS REQUIRED, generally located south of Iron Mountain Ranch Road, west of El Capitan Way, (APN: 125-08-116-007, 008, and 010), R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Condition #3 of Site Development Plan Review [Z-0132-93(3)] shall be replaced by the following:

The setbacks for this development are as follows:

11,000 square foot lots in this development shall be a minimum of 20 feet to the front of the garage as measured from the back of sidewalk, 14 feet to the front of the house, 10 feet on the side, 15 feet on the corner side, and 30 feet in the rear.

10,000 square foot lots in this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, and 20 feet in the rear.

All other lots in this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.

McSwain -
APPROVED.
Unanimous
(Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated this application is to allow a 14 foot front yard setback on Lots 1227, 1228 and 1230 where a 20-foot setback is required.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, Suite #100, appeared to represent the applicant. He concurred with staff's conditions.

This is final action.

(10:20 - 10:22) 3 - 2360

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ITEM

ACTION

Z-0132-93(9) - DISTINCTIVE HOMES,
LIMITED LIABILITY COMPANY

APPROVED

Public Works

2. Site Development to comply with all applicable Conditions of Approval for the Spring Mountain Ranch Unit 39 subdivision and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

C-2.

**Z-0016-98(11) - CHARLESTON AUTO PARTS
PROFIT SHARING ON BEHALF OF WILLIAM
LYON HOMES**

Request for a Minor Modification to the Iron Mountain Ranch Master Development Plan to add approximately 10 acres located adjacent to the northeast corner of Grand Teton Drive and Jones Boulevard (APN: 125-2-401-001), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. A Rezoning and Site Development Plan Review shall be approved by the City Council at a Public Hearing.

Public Works

2. An update to the previously approved Iron Mountain Ranch Master Traffic Access Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of any Final Maps within the modification area.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining inasmuch as this application is located in Iron Mountain Ranch and a client of his law firm has a stake in that area.

(Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated this request is justified and the inclusion of this 10-acre parcel was always contemplated as part of the overall development. Staff recommended approval, subject to the conditions.

TERRY CONNELLY, William Lyon Homes, 500 Pilot Road, Suite G, stated that he concurred with staff's conditions.

NOTE: See Item Nos. B-25 and B-26 for related discussion.

This is final action.

(9:46 - 9:49) 3 - 1000

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ITEM

ACTION

C-3.

Z-0073-99(2) - KMW, LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review FOR A PROPOSED 9,811 SQUARE FOOT OFFICE BUILDING on 1.95 acres located adjacent to the northeast corner of Gowan Road and Buffalo Drive (APN: 138-10-201-012), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office), Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. The entire site shall be landscaped, as depicted on the landscape plan as amended, prior to occupancy of this building.
3. No utility vault exceeding 27 cubic feet in size may encroach into approved landscape areas along public street frontages. Additionally, no waivers from required landscaping or approved signage standards shall be allowed due to the placement of any utility vaults.
4. All development shall be in conformance with the submitted plans and building elevations except as revised by conditions.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH ADDITIONAL CONDITIONS THAT THE FRONT ENTRY HAVE A 20 FOOT HIGH PARAPET, 9,540 SQUARE FOOT BUILDING, CONDITION NO. 2 HAVE ADDED AFTER AMENDED UNDER Z-0073-99(1), AND CONDITION NO. 11 AMENDED THAT ALL SIGNS MEET THE ZONING REQUIREMENTS FOR THE OFFICE ZONING DISTRICT.

Unanimous

(Goynes and Truesdell excused)

LAURA MARTIN, Planning and Development, stated the applicant is proposing a 9,811 square foot office building on the northern end of this property with parking on all four sides. Building 1 is approximately a 7,675 square foot medical office that was previously approved. Perimeter landscaping was provided as a part of the Phase 1 approval and the site plan submitted for Phase 2 depicts adequate landscaping and parking. Staff recommended approval, subject to the conditions.

ATTORNEY BILL CURRAN, Curran & Perry, 601 South Rancho Drive, appeared to represent the applicant. Part of this parcel was approved for Phase 1 in the past. This is for finalizing the site plan for Phase 2 as they will be consistent.

GERALD GARAPICH, 10 Commerce Center Drive, Henderson, Nevada noted that under Phase 1 the building was noticed at 9,811 square feet. Under that phase the building size was limited to 9,540 square feet, which is shown on the new plan. In addition, it was noticed that the building is 18 feet high with a 7 foot 7 inch parapet. The parapet height is 18 feet and the entry elevation element extends up to 25 feet 2 inches above the finished floor. There is approximately a 4 foot parapet to screen the mechanical.

Under the original approval, they were required to provide a 13-foot landscape buffer, which would reduce the landscaping on Buffalo by 5 feet. There was a neighborhood meeting about a week ago to discuss the issues with the neighbors. A 13 foot landscape buffer is indicated on the north and east sides. On the north side the landscape buffer has been conditioned under the first approval as a 10-foot landscape buffer, which was provided. By waiver, Title 30 requires a landscape finger every 6 spaces along the north end. The neighbors and Councilman Brown have requested to do that under a waiver in order to provide an 18-foot landscape

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ACTION

Z-0073-99(2) - KMW, LIMITED LIABILITY COMPANY

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

9. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

10. A landscaping plan shall be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

11. A Master Sign Plan, which allows only monument freestanding signage, shall be submitted for administrative approval prior to the issuance of a Certificate of Occupancy for any building on the site.

12. The applicant shall have constructed an eight-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

buffer in one area. There is box type lighting and Councilman Brown requested decorative fixtures so the same fixtures will be installed as in the first phase. In regard to fire protection, they will comply with all applicable fire codes and all applicable code requirements for the City of Las Vegas.

MR. McCULLOCH noted that Condition No. 2 reads: The entire site shall be landscaped, as depicted on the landscape plan as amended, prior to occupancy of this building. He added after the word amended *under Z-0073-99(1)*. MR. GARAPICH said that is acceptable.

MR. McCULLOCH said Condition No. 11 reads: A Master Sign Plan, which allows only monument freestanding signage, shall be submitted for administrative approval prior to the issuance of a Certificate of Occupancy for any building on the site. The City no longer does Master Sign Plans administratively as they have to go through a Public Hearing process. *He suggested that condition be amended so that all signs meet the zoning requirements for the O (Office) district.*

MR. GARAPICH added there will be covered parking on the north and east and set back from the landscaping. To the top of the covered parking is 8 feet 2 inches. It will be set back 10 feet from the existing wall on the north property line and 13 feet from the houses on the east property line.

MR. McCULLOCH noted after the vote was posted that Councilman Brown may request this item be brought forward to the City Council. ATTORNEY CURRAN responded that they have had discussions with Councilman Brown's staff and don't anticipate that will take place.

This is final action.

(10:22 - 10:33) 3 - 2430

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ITEM

ACTION

Z-0073-99(2) - KMW, LIMITED LIABILITY COMPANY

APPROVED

Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

15. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

16. Site development to comply with all applicable Conditions of Approval for the approved Traffic Impact Analysis, Zoning Reclassification Z-73-99 and all other subsequent site-related actions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

C-4.

SD-0045-01(1) - JAMES AND BEVERLY ROGERS, ET AL ON BEHALF OF SUNBELT COMMUNICATIONS

Request for a Review of Condition #11 of an approved Site Development Plan Review, which required the construction of half-street improvements at 1608 East Gragson Avenue (APN: 139-26-201-018), C-V (Civic) Zone, Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Compliance with all other Conditions of Approval of Site Development Plan Review (SD-0045-01) and all other subsequent site-related actions.

Public Works

2. Original Condition of Approval #11 shall be revised as follows: Construct all incomplete half-street improvements, including appropriate overpaving, on Gragson Avenue adjacent to this site concurrent with development of this site. The remaining required half-street improvements on Fantasy Lane and Gragson Avenue adjacent the Golden Gloves Gym Building may be deferred for five years or until the site to the south (APN#139-26-201-013) constructs their required half-street improvements, whichever may occur first. Failure to comply with this condition shall result in this item being reconsidered by the City Council. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

**Buckley -
APPROVED SUBJECT TO CONDITIONS
Unanimous
(Goynes and Truesdell excused)**

LAURA MARTIN, Planning and Development, stated that the applicant plans to do only half-street improvements fronting the proposed auto-storage building. Referencing the original Condition No. 11, MS. MARTIN explained that an existing lease limits the rights of the applicant to develop this portion of the site.

ARON HAGGERTY, Summit Engineering Corporation, 1421 East Sunset Road, Suite #17, represented the applicant and concurred with staff's recommendations.

This is final action.

(10:33 - 10:34) 3 - 2950

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ITEM

ACTION

SD-0045-01(1) - JAMES AND BEVERLY ROGERS, ET AL ON BEHALF OF SUNBELT COMMUNICATIONS

APPROVED

3. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants and sewers) on Gragson Avenue and Fantasy Lane adjacent to the entire legal parcel comprising this site prior to the issuance of any permits.

4. This site shall be reviewed five years from the date of approval of this action by the City Council.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

D.

DIRECTOR'S BUSINESS:

D-1.

ABEYANCE - TA-0033-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend Title 19A.04.050 SECOND HAND DEALER to allow in certain circumstances the outdoor display of merchandise.

STAFF RECOMMENDATION NONE. If approved, staff recommends the following changes to Title 19A:

1. Remove the asterisk from in front of condition number one under Secondhand Dealer. Which would allow the City Council discretionary power to waive the condition.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Buckley -

ABEYANCE TO THE DECEMBER 20, 2001 PLANNING COMMISSION MEETING.

Unanimous

(Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that the applicant prepared packets for the Planning Commissioners to review and is requesting abeyance to the December 20, 2001 Planning Commission meeting.

LARRY WATSON, 5840 South Bronco, requested postponement to the December 20, 2001 meeting to give the Commissioners an opportunity to review the distributed packets.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER BUCKLEY mentioned that the City might look into establishing an overlay district in the downtown area.

To be heard by the Planning Commission on December 20, 2001.

(10:34 - 10:36) 3 - 3030

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ITEM

ACTION

D-2.

ABEYANCE - TA-0034-01 - CITY OF LAS VEGAS -

Discussion and possible action to Amend Title 19A.20.020 ASSISTED LIVING APARTMENT to allow ancillary commercial in conjunction with this use.

STAFF RECOMMENDATION Staff recommends the following change to Title 19A:

1. Amend Title 19A.20.020 ASSISTED LIVING APARTMENT to add to the definition the following: Ancillary commercial uses are allowed as long as the total amount of floor space dedicated to commercial uses does not exceed five percent of the total gross floor area and there is no external signage or entry for the commercial uses.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Quinn -
APPROVED, SUBJECT TO STAFF'S CONDITION.
Unanimous
(Goynes and Truesdell excused)

JOEL McCULLOCH, Planning and Development, stated that ancillary commercial uses are allowed within Assisted Care Facilities, but recommended a modification to allow five percent of the overall facility be used for such commercial activity.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER McSWAIN asked for clarification and questioned whether there were problems with these types of ancillary uses in these facilities. JOEL McCULLOUGH and CHRIS KNIGHT, both clarified that all of these types of facilities have these services; however because they are zoned as residential properties, the proprietors have difficulty obtaining their business licenses. If they were zoned commercial, they would have no problem obtaining the licenses, but they would meet with opposition from the neighbors.

To be forwarded to the City Council in Ordinance form.

(10:36 - 10:38) 3 - 3140

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ITEM

ACTION

D-3.

TA-0035-01 - CITY OF LAS VEGAS

Discussion and possible Action to delete Title 19A.04.060(B) Recreational Vehicle or Trailer in its entirety, Amend Title 19A.20.020 Definitions, and to amend 19A.04.060(B) Vehicles section 1 through 12, and other matters properly related thereto.

STAFF RECOMMENDATION NONE. If approved, staff recommends the following changes:

1. Add partially wrecked to the definition of vehicle, junked and delete the words inoperable, abandoned, and discarded.
2. Delete from the definition of Vehicle, Mechanically Inoperable the words properly licensed and registered in accordance with Nevada law, but is.
3. Delete in its entirety the subsection entitled Recreational Vehicle or Trailer from Section 19A.04.060(B).
4. Amend the subsection entitled Vehicles of Section 19A.04.060(B) with several cosmetic changes as depicted in the attached draft Ordinance.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

Quinn -

ABEYANCE TO THE DECEMBER 6, 2001 PLANNING COMMISSION MEETING.

**Unanimous
(Goynes and Truesdell excused)**

JOHN KOSWAN, Planning and Development, requested this item be held in abeyance until the December 6, 2001 Planning Commission meeting to allow another opportunity to meet with the citizens with whom they have been working with on this amendment.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on December 6, 2001.

(10:38 - 10:40) 3 - 3250

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ITEM

ACTION

D-4.

DB-0013-01 - CITY OF LAS VEGAS

Discussion and possible Action to approve the Planning Commission Meeting Dates for the 2002 calendar year.

Buckley -

APPROVED, subject to amending the last two entries under **PC MEETING DATE** to reflect **January 9, 2003** and **January 23, 2003**.

Unanimous

(Goynes and Truesdell excused)

CHAIRMAN GALATI asked if the Commissioners agreed to the submitted schedule.

This is final action.

(10:40 - 10:42) 3 - 3300

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ITEM

ACTION

E.

CITIZENS PARTICIPATION:

THE PLANNING COMMISSION CANNOT ACT UPON ITEMS RAISED UNDER THIS PORTION OF THE AGENDA UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

ADJOURNMENT:

/da

There was no one present wishing to speak under this portion of the agenda.

There being no further business to come before the City Planning Commission, the meeting adjourned at 10:42 P.M.

PLANNING AND DEVELOPMENT DEPARTMENT

DEENY ARAUJO, DEPUTY CITY CLERK